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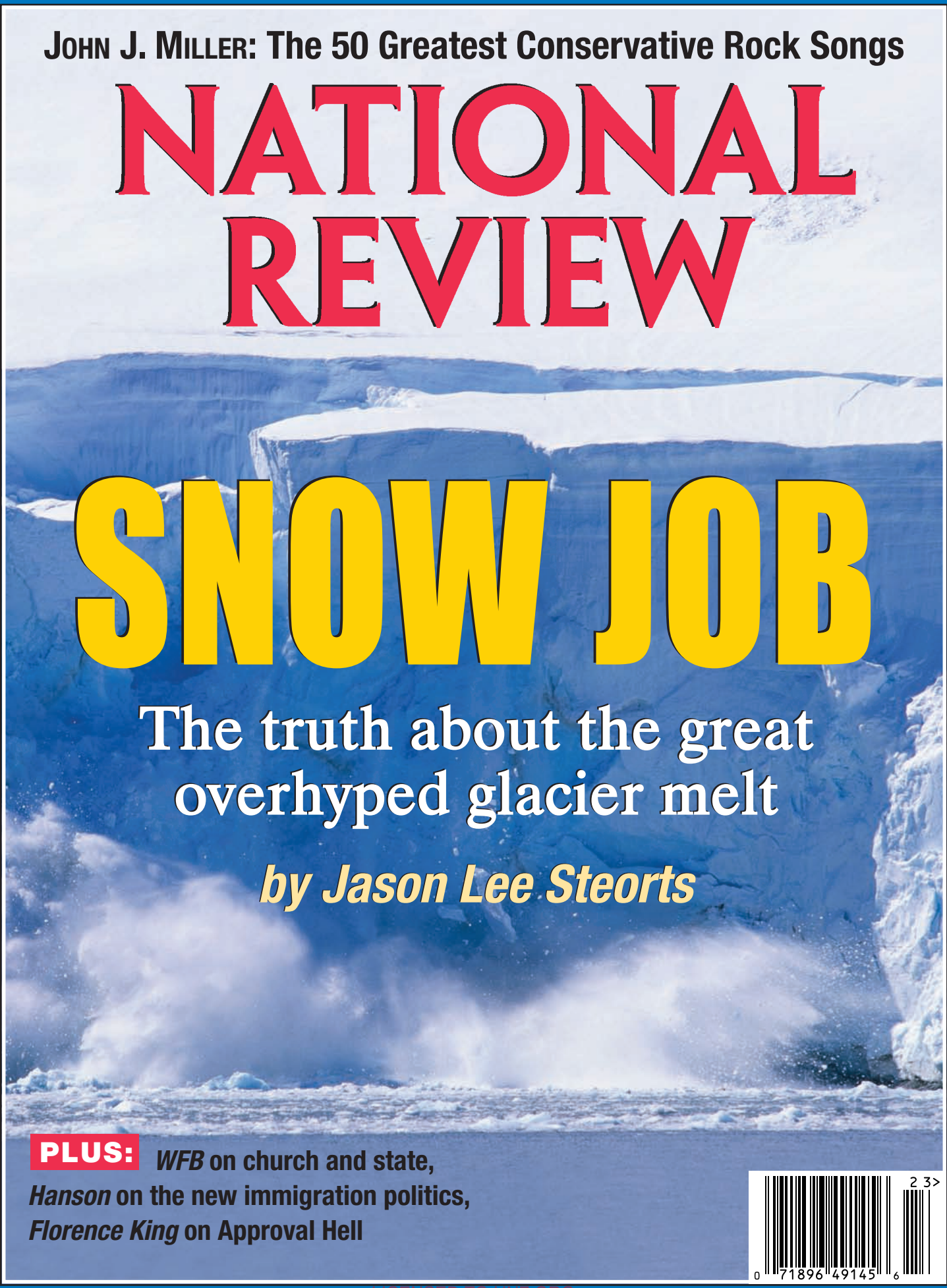
JOHN J. MILLER: The 50 Greatest Conservative Rock Songs

NATIONAL REVIEW



SNOW JOB

The truth about the great overhyped glacier melt

by Jason Lee Steorts

PLUS: *WFB* on church and state,
Hanson on the new immigration politics,
Florence King on Approval Hell

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MARIJUANA AND YOUR TEEN'S MENTAL HEALTH

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If you have outdated perceptions about marijuana, you might be putting your teen at risk. New research is giving us better insight into the serious consequences of teen marijuana use, especially how it impacts mental health.

Did you know that young people who use marijuana weekly have double the risk of depression later in life?[1] And that teens aged 12 to 17 who smoke marijuana weekly are three times more likely than non-users to have suicidal thoughts?[2]

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Signed,

- *American Psychiatric Association*
- *American Academy of Child and Adolescent Psychiatry*
- *American Society of Addiction Medicine*
- *Asian Community Mental Health Services*
- *Association for Medical Education and Research in Substance Abuse*
- *Institute for Behavior and Health, Inc.*
- *National Asian American Pacific Islander Mental Health Association*
- *National Association of Addiction Treatment Providers*
- *National Council for Community Behavioral Healthcare*
- *National Latino Behavioral Health Association*
- *National Medical Association*
- *Office of National Drug Control Policy*
- *Partnership for a Drug-Free America*

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[1]Patton, GC et al. Cannabis use and mental health in young people: cohort study. *British Medical Journal*, 325: 1195–1198, 2002. [2]Greenblatt, J. Adolescent self-reported behaviors and their association with marijuana use, Substance Abuse and Mental Health Services Administration (SAMHSA), 1998. [3]Arseneault, L et al. Cannabis use in adolescence and risk for adult psychosis: longitudinal prospective study. *British Medical Journal*, 325: 1212–1213, 2002; Veen, N et al. Cannabis use and age at onset of schizophrenia. *The American Journal of Psychiatry*, 161: 501–506, 2004. [4]*Marijuana Potency Monitoring Project. Report No. 83*, University of Mississippi, 2003. [5]SAMHSA. Trends in Initiation of Substance Use, 2003. [6]SAMHSA. Parental Disapproval of Youths' Substance Abuse, 2002.

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JUNE 5, 2006 VOL. LVIII, NO. 10

NATIONAL REVIEW

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■ COVER STORY

Scare of the Century

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Time remarks: "Curbing global warming may be an order of magnitude harder than, say, eradicating smallpox or putting a man on the moon. But is it moral not to try?" The answer is, yes, it may indeed be moral not to try. What is not moral is to distort the truth for political ends—which is precisely what has been done with the ice-caps story. Here's what you haven't read. . . . *By Jason Lee Steorts*

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NATIONAL REVIEW

June 5 issue; printed May 18

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letters to the editor

CONGRESSIONAL MANDATE

Kate O'Beirne and Richard Lowry's "A Congress Gone to Pot" (May 22) hit the nail on the head—or, maybe more appropriately, it pounded the final nail into the Republican coffin. It seems the Republican majority in Congress has lost its focus on basic conservative ideals. One wonders how a party whose characteristic principle is for limited government can expand and run a massive bureaucratic government. The authors clearly show that, quite simply, the GOP cannot. When was the last time this Congress stood up for federal fiscal discipline, reducing the size and power of government, or political accountability (i.e., real K Street or pork-barrel reform)? It is time to get some true conservatives into Congress.

Andy Collingwood
Estes Park, Colo.

A MISLEADING PICTURE

The photo of the elephant on your cover was not relevant to O'Beirne and Lowry's story on the collapse of the GOP Congress. The pictured elephant has an obvious backbone—the Republicans on Capitol Hill do not.

Barbara Dahlin
Sawyer, Mich.

HIGH ON LIFE

Regarding the reference to medical marijuana in The Week (May 22): I am always suspicious that the proponents of medical marijuana consist of users who smoked dope before they acquired their medical problem. It would be interesting to see a poll of these patients. I am approaching my fifth year of lung-cancer survival, and I never considered smoking dope; I had quit smoking 31 years prior to my diagnosis.

Raymond C. Hoy
Cortez, Colo.

SMOKE 'EM IF YOU GOT 'EM

I was amused by the paragraph in The Week (May 22) about the Juilliard School. They warned that an opera production included "gunshots and herbal cigarettes"—never mind, as you pointed out, "fornication, perversion, assault, madness, murder." I was given the same warning a year ago in New York when attending *The Paris Letter*. This play included a scene of gratuitous, full-frontal, male nudity. Maybe we should conclude that a pistols-and-smokes warning is a tip-off that something truly objectionable will appear.

Mark Kolakowski
Fair Haven, N.J.

NOSTRA CULPA

In "The Word on the Street," (May 22) Richard Nadler describes al-Jazeera as "the Arabic TV-news station broadcast from Dubai." Al-Jazeera is actually headquartered in Doha, the capital of Qatar.

David Morgenstern
Washington, D.C.

GREETINGS!

Dear Yankee oil-sucking vampires (see, I can begin with the intent of insulting one magazine but encompass the entire nation, too): . . .

EDITOR'S NOTE: *This is how a Canadian reader began a not-altogether-approving letter to us. The rest of the letter was unpublishable, but we thought you'd enjoy the salutation.*

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What Does This Stand For?

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THE WEEK

■ Not to be overly dismissive of worried civil libertarians: but could the government and the phone companies, working in tandem, ever really be effective?

■ Congress voted, by healthy margins (244–185 in the House, 54–44 in the Senate), to extend the tax cuts on dividends and capital gains through the end of 2010. Now all the tax cuts will expire at that time. It was a wise, and overdue, move. Reduced taxes on capital fueled the late-1990s boom, which really took off when Congress cut capital-gains taxes in 1997, and the current one, which began in earnest when Congress enacted further tax cuts on capital in 2003. But Republicans won't have sealed the deal against higher taxes until they first restrain and then cut spending. Our corporate taxes are high compared with those of most of our trading partners, and our tax code remains excessively complex and inefficient. There is plenty of work still to do.

■ The judicial-confirmation wars have started again—sort of. Employing the kind of tactics they perfected in earlier fights against Bush nominees, Democrats forced Republicans on the Senate Judiciary Committee to hold a second hearing on appeals-court candidate Brett Kavanaugh. But the hearing produced nothing. Democratic senators wanted to know if Kavanaugh had anything to do with administration memos concerning torture. He didn't. They wanted to know if he knew Jack Abramoff. He didn't. They even wanted to know whether—horrors!—Karl Rove sometimes sat in on White House meetings about judicial nominees. Turns out Rove has, in fact, done that, although there is nothing at all improper about it and it has nothing to do with the Kavanaugh nomination. By the end of the hearing, it was clear that Democrats had accomplished nothing, and it appears Kavanaugh is headed for confirmation. The real questions will come when other, more controversial nominees—Terrence Boyle, William Myers, and William Haynes—come up. Will Republicans fight for them?

■ Howard Dean, interviewed by the Christian Broadcasting Network, said that the Democratic platform regards marriage as between a man and a woman. He was wrong. Rather than making that commonsense point, the platform actually says that marriage laws are up to each state. Dean backtracked, but advocates of same-sex marriage were not mollified. They said that Dean was running away from them. That's our impression, too. Same-sex marriage is a cause that can prevail in the courts. It will not prevail if left to politicians, because too many voters disagree with it too strongly. Even Howard Dean knows that.

■ Sen. John McCain gave the commencement address at Liberty University, founded by the Rev. Jerry Falwell. It was a grave and sober speech, calling for national unity even in division. "Let us remember, we are not enemies. We are com-

ROMAN GENN

patriots defending ourselves from a real enemy." He offered thereby a truce with Falwell, whom, during the 2000 Republican primaries, he had called an "agent of intolerance." McCain's Liberty speech may mark the moment when the press ends its love affair with him (touching Falwell is truly touching pitch, as they see it), and when social conservatives end their long animosity. Losing the press will hurt, though he needs social-conservative support to win the nomination. McCain's fundamental point transcends tactical politics, though: We have a real enemy, who hates us far more than we could hate one another.

■ Rep. Patrick J. Kennedy (D., R.I.) had a spot of bother the other day. Driving on Capitol Hill at 3 A.M., at high speed and without lights, the 38-year-old son of Sen. Edward Kennedy crashed into a traffic barrier. It was Representative Kennedy's second car crash in three weeks. The police report noted that his "eyes were red and watery, speech was slightly slurred, and . . . his balance was unsure." Uh-huh. The congressman explained that he was hastening to do the people's business, rushing to a House vote. This was odd; the House had adjourned three hours earlier. Being a Kennedy, our lad Patrick of course had a Get Out of Jail Free card, and proceeded to play it, being whisked away by a Capitol Police supervisor before patrolmen could administer standard sobriety tests, a thing that caused some grumbling from the police-officers union. Thus was the law taken care of. To square matters with the public, Representative Kennedy played the Oprah card, pleading mental and pharmaceutical problems. "I'm struggling, I have issues," etc., etc. He then took himself off to the Mayo Clinic for some rehab.

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THE WEEK...

And the Kennedys march on, their balance perhaps a little unsure, but their voters ever faithful.

■ Liberals are touting a study by, of all people, William Niskanen of the Cato Institute. Niskanen is trying to test the theory, held by many conservatives, that tax cuts "starve the beast"—in other words, that they lead to spending cuts. He looked at spending and taxes as a percentage of the economy over the last 25 years. He finds that years in which taxes were low also tended to be years in which spending was high, and vice versa. This is an interesting finding, but it is hardly the slam-dunk case against conservatives that liberals are claiming it is. While Niskanen has accounted for the effects of the business cycle, he has not taken account of the possibility that tax cuts cause spending cuts after a few years. It may be, for example, that Ronald Reagan's tax cuts helped doom Bill Clinton's push for socialized medicine. And even if it were the case that tax cuts do not, by themselves, make it easier to cut spending, that would hardly negate the economic case for cutting taxes that punish saving, investment, and work. It would only prove that there is no easy way to get a welfare state to reduce spending. And that is something that unhappy experience should already have taught us.

■ What is it about the price of oil that drives otherwise sensible pundits batty? Fareed Zakaria, for example, notes in *Newsweek* that U.S. gas consumption has doubled over the last three decades, while it has stayed flat in Japan and Europe. But we have also had more economic growth than Japan and Europe, some of it fueled by that increased gas consumption. Our population is also more dispersed than theirs. But what's really odd about Zakaria's column, which is typical of a lot of writing on energy in this regard, is that there is no relation between the alleged problem and the proposed solutions. We are supposed to be upset about high gas prices. And the solution to this problem is—to increase prices ourselves, by raising gas taxes. Zakaria also urges us to raise fuel-economy standards and thus to get rid of gas-guzzling SUVs. And why should we make it illegal for people to buy the vehicles they want? To protect those same people from paying large gas bills. The very gas bills that might move them to buy smaller cars. Buying a car presents many trade-offs. An American outside Manhattan might very well want a car that easily fits his children and their child-safety seats. But that car might leave him vulnerable to higher gas prices. He ought be able to make the decision, rather than have it made for him by the government—or by pundits who are driving in circles.

■ The decision by Florida house speaker Allan Bense not to seek the Republican U.S. Senate nomination practically guarantees that it will go to Rep. Katherine Harris in September—and this, in turn, practically guarantees the reelection of Democratic senator Bill Nelson in November. We have previously expressed our reservations about Harris, and we are hardly alone. "I just don't believe she can win," said Gov. Jeb Bush the other day. "Most of the polls I see show her down by 30." But the right challenger to Harris never emerged—partly because of a political environment that doesn't favor Republicans at the moment, partly because Harris has been thought to have an insurmountable cash advantage over other GOP contenders. Nelson is a lackluster incumbent in a state that leans red. He ought to be vulnerable. But get ready for "Six More Years."

■ Judicial Watch has uncovered documents showing how aggressively the Clinton administration pushed to bring RU 486, a regimen of drugs to induce abortion, to the United States. Those documents, obtained from the Clinton Presidential Library, reveal an administration eager to pressure a reluctant company to begin marketing the drugs here. It took a lot of time and effort on the Clintonites' part, but the FDA gave its approval for the drugs in 2000. The Judicial Watch report makes a strong case that the normal procedures and safeguards were set aside. Even today, the FDA seems to be treating RU 486 rather more favorably than other drugs that have been linked to patients' deaths. Curious, isn't it? You'd almost suspect that a pro-abortion agenda were taking precedence over sound science.

■ A new report by the Alan Guttmacher Institute, the research arm of Planned Parenthood, finds that fewer women are using contraception, and that abortion rates are therefore declining more slowly than they used to. It claims, implausibly and without evidence, that the problem is insufficient "access" to contraception. It also finds that parental-consent laws are unnecessary, since "six in 10 teenagers who have an abortion report that at least one parent knew about their procedure"—which will doubtless be reassuring to parents who wonder if their families belong to the other 40 percent. It complains about states that "require [abortion] providers to show women pictures of fetuses at various stages of development." You can see why people in the business of "providing" abortions would dislike that requirement. Nobody else should be moved by AGI's report.

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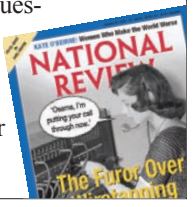

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THE WEEK...

■ After complications during surgery at a hospital in Houston, Andrea Clark, 54, ended up on a respirator and in need of kidney dialysis. Her doctor decided it was futile to continue treatment. Her family disagreed. Surely the doctor would defer to their wishes (and Clark's, it was clear), wouldn't he? Not in Texas, where there is a law that, in such a dispute, an "ethics or medical committee" will decide whether to continue "life-sustaining treatment"—and will make that decision based in part on the committee's judgment of whether the patient's life is likely to be worth living. (Life-sustaining treatment includes artificial hydration and nutrition, so the committee can vote to starve patients to death.) The committee in this case sided with the doctor, which meant that, in ten days, treatment would be stopped. After much searching, Clark's family found another physician to care for her. She died on May 7, one week after her hospital would have gotten rid of her. Her death was a tragedy for her family. The rise of "futile-care theory," which authorizes doctors to practice lethal discrimination among their patients based on half-baked ethical theories, is a problem for the nation.

■ A California newspaper has reported that the Department of Homeland Security provides the Mexican government with intelligence about the activities of American citizen groups that promote border security, such as the Minuteman Project. DHS denies the allegations. It says that it is merely following treaty obligations by letting aliens communicate with their consulates and by giving those consulates basic information about the aliens' cases (including time and place of arrest, as well as any claims of mistreatment, whether by U.S. officials or civilians, during apprehension and detention). DHS officially insists that this information doesn't include intelligence about Minuteman launch sites and patrol areas. But Border Patrol agents and some DHS officials have said that such information is indeed shared. A Mexican-government website also says that U.S. Customs and Border Protection routinely notifies Mexico of Minuteman locations. Three House Republicans (Duncan Hunter and Darrell

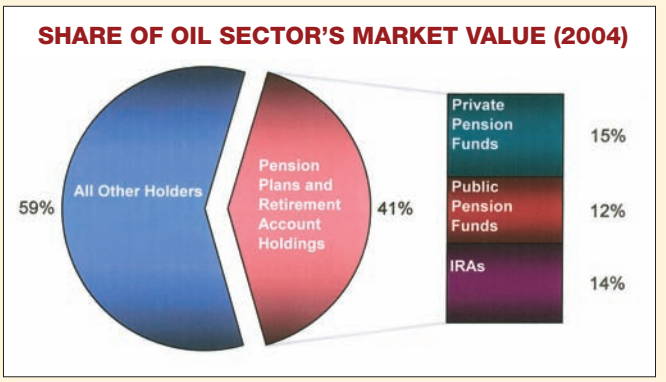
No Dragons Here

PUBLIC discourse seems monopolized by strange and irrational anthropomorphisms. Politicians talk as if companies—without people—were living, breathing things. Some companies, such as those in the ever-suffering steel sector, are cast as patriotic foundations of our economy; others receive quite the opposite treatment. For committing the sin of impressive profitability, Dr. Jekyll companies are transformed before our eyes into dangerous Mr. Hydes.

The latest victims of this phenomenon are the oil companies. As gasoline prices edge higher, companies such as Exxon-Mobil have become easy targets for government attention. Some especially zealous regulators are calling for a punitive windfall-profits tax. It is as though American consumers were under siege by some fearsome oil-breathing dragon, which can be vanquished only by the lances of IRS knights.

Companies do not, of course, have independent characters. They are simply collections of citizens. Some are workers, others investors. None of them deserves the abuse hurled at them by politicians.

Policies aimed at evil corporate beasts actually harm individual Americans. As the accompanying chart indicates, this is a particularly salient consideration when it comes to oil and gas companies. In a recent study, economists Robert Shapiro and Nam Pham examined who would bear the brunt of a windfall-profits tax. They found that over 40 percent of oil and gas shares are held in public, private, and individual pension funds. This amounts to about $300 billion in equities.



SOURCE: SHAPIRO AND PHAM (2005)

A windfall-profits tax would reduce the value of oil and gas shares by as much as 11 percent. And that damage would spread beyond those with juicy private pensions. Shapiro and Pham point out: "Public employee pension plans are especially vulnerable to the costs of a windfall-profits tax, because they hold a relatively large share of their assets in corporate stocks, including shares in domestic oil and gas companies." These pension funds hold about $64 billion worth of U.S. oil stocks.

This means that policies aimed at the mythical oil beasts would in fact undermine the retirements of soldiers, policemen, firemen, and so on. They would also, as Shapiro and Pham document, discourage oil-company managers from investing in new sources of energy.

High energy prices are a hardship, but they are caused by the surging world demand that goes along with robust economic growth. The fact that American companies are in a position to profit from the higher prices is certainly better than the alternative.

Politicians on both sides of the aisle who would never think of attacking American citizens feel quite comfortable attacking American corporations. They need to pause, take a deep breath, and recognize that corporations are simply collections of citizens. And the most successful companies are more aptly characterized as heroes than monsters. If profits soar, this should prompt celebration rather than legislation.

—KEVIN A. HASSETT

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Source: *Investment and Other Uses of Cash Flow by the Oil Industry*, Ernst & Young LLP, February 3, 2006

Oil and natural gas companies posted exceptionally strong financial results in 2005. This obviously benefits the tens of millions of Americans who own shares in our companies – including through pension plans and other investment funds. But it does not stop there.

What on earth do oil and gas companies do with all that revenue?

Revenues on this scale make possible the massive investments that are needed to provide future energy supplies. Global demand for energy will increase by 50 percent by 2030. The International Energy Agency estimates that satisfying oil and natural gas demand worldwide will require more than $6 trillion in new investment by then.

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The Week...

Issa of California and John Culberson of Texas) have jointly written to DHS secretary Michael Chertoff, demanding a full investigation. The story bears watching.

■ Sen. Daniel Akaka, Hawaii Democrat, wants to create a new "native" Hawaiian government. His bill, which is scheduled to be debated in the Senate in June, appears to be designed to pacify a small but vocal faction of Hawaiian grievance-mongers who are demanding special rights. The bill is vague to the point of distraction. For example, the interim government can choose its own definition of "native"; that is, the government itself can decide who its citizens will be, which will surely involve some kind of blood test (redolent of earlier, discredited times). The most pernicious outcome is about the only one that is assured: The legislation will lead to a permanent hereditary caste in Hawaii, where natives—however defined—will have at least some rights that non-natives do not. Tax-exempt status and immunity from OSHA regulations are two possibilities. Even the U.S. Commission on Civil Rights has recommended that the bill be rejected. A number of Republicans are backing the bill, and the Bush administration has remained silent—but this ought to be an easy "no" vote.

■ Alphonso Jackson, secretary of housing and urban development, says that, during his tenure, "no contract has ever been awarded, rejected or rescinded due to the personal or political beliefs of the recipient." An admirable state of things. Then why did he tell a business group, two weeks earlier, about a minority publisher who, after winning a contract, trashed President Bush to Jackson? "I thought to myself, 'Brother, you have a disconnect. . . . If you have a problem with the president, don't tell the secretary.' He didn't get the contract." Just possibly, this anecdote is fictional. Jackson, through a spokesman, claims he was telling a story about "how politics works in D.C." We're willing to believe him, and we also believe that this is how politics often does work in D.C. But we also believe that no one should brag about it, or even joke about it, the better to ensure that the contract process actually is nonpartisan. Maybe Mr. Jackson should be performing his standup in some capacity other than cabinet official.

The Hour's Late

With polls at 29 percent
(Nixon's reached 24),
And with the horse departed from
A swinging-wide barn door,
The president invites the Guard
To hold the Rio Grande
As hopping-mad conservatives
Give George a tepid hand.

—W. H. von Dreele

■ A late Mother's Day message, from a videotape played in Brooklyn Federal Court at the trial of Shahawar Matin Siraj, a Pakistani national charged with plotting to blow up the Herald Square subway station in New York City. Mr. Siraj told Osama El-Dawoody, a police informant, that he was willing to guide a murderer to the station and show him where to put his bombs, but not to place them himself. He also said he would have to clear it with his mother. "I have to, you know, ask my mom's permission." "Ask your mother what?" the astonished informant said. It won't fly on a greeting card in this country, but perhaps there would be a market for it in the Muslim world. *You gave me life / I give others death; / I ask your permission / With my last breath.* Get the Urdu translators working on it.

■ There was hype aplenty about an "opening of dialogue" when Mahmoud Ahmadinejad, Iran's president, sent President Bush a letter; but in reality the missive was full of sound and fury signifying nothing. A long rant against U.S. policy, it gave nothing on Iran's nuclear program, and was surely timed to distract attention from the meeting of the U.N. Security Council powers, plus Germany, to discuss Iran. That meeting didn't change anything either. France and Britain are still squeamish about the use of force. China and Russia are still squeamish about *everything*, including economic sanctions. And Condoleezza Rice has said that the U.S. will wait for the next European diplomatic overture to Tehran before pushing for another Security Council resolution. A short delay probably won't cost us much, but the U.S. should be prepared to do what it must—with or without U.N. blessing—to stop Iran's acquiring nuclear weapons.

■ In a mid-April raid of an al-Qaeda hideout in Iraq, Coalition forces uncovered a trove of valuable documents. Among the findings is an internal memorandum in which the "Mujahidin" terrorists bemoan the losing battle that they are fighting against American security forces and the emerging Iraqi government. The terrorists acknowledge that they lack crucial organization, communications, ammunition, and manpower. They regret that they "are not considered more than a daily annoyance to the Shiite government." As they see it, "every year is worse than the previous year as far as the Mujahidin's control and influence over Baghdad." So if the terrorists are so downbeat, why aren't more Americans optimistic? The insurgents in Iraq apparently know why. They write: "The policy followed by the brothers in Baghdad is a media-oriented policy . . . to show in the media that the Americans and the government do not control the situation and there is resistance against them." This is a shrewd strategy, as demonstrated by the fact that it was almost impossible to find the memo reported on anywhere in the mainstream press.

■ Recall that the old U.N. Human Rights Commission came under fire for including as members some of the world's worst human-rights abusers: China, Cuba, and Saudi Arabia among them. We're pleased to report that the new U.N. Human Rights Council's first members have been selected, and the winners include . . . China, Cuba, and Saudi Arabia. Three cheers for progress.

■ Rule One: Do not give in to the demands of terrorists, because that will only lead to more demands. Early this year, the

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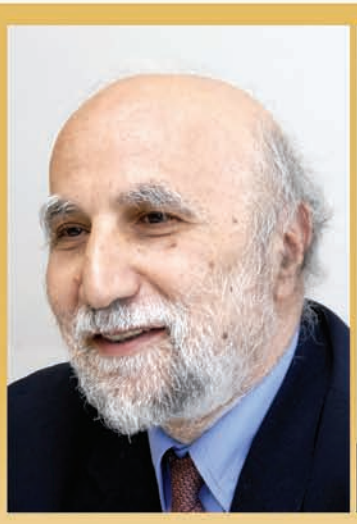

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THE WEEK...

Palestinians voted in Hamas, a group planning to drive out Israel and take its place. That was their democratic right, but then they must live with the consequences. The violence and intimidation practiced by Hamas puts it outside the civilized world, and at first the civilized world rightly responded by refusing to pay aid to the Palestinians. (For half a century, that aid has degraded, corrupted, and impoverished them, but that's another matter.) Hamas leaders have been round the capitals and international organizations, wheedling for funds while refusing to renounce terror. Long accustomed by now to buying off trouble, the Europeans are contriving some sort of "temporary mechanism" whereby money goes to the Palestinians. But the credit for obtaining it will of course go to Hamas, which will also be relieved from any need for restraint. In contradiction to everything it professes to believe, the Bush administration is endorsing this process of giving aid while pretending not to. Thus the Palestinians are treated like children who are not to be held responsible for what they do, and terror is rewarded and so perpetuated.

■ Ayaan Hirsi Ali, the Somalian-born member of the Dutch parliament who has risked life and limb by criticizing Muslim brutality, may be ejected from Holland. As she has said—many times over the years—she fudged her refugee application, when she was escaping an arranged marriage. The current furor erupted when she made this point again in a television documentary; the Dutch Right has staked out a strong law-and-order position on immigration, and feels it has little choice but to investigate. Hirsi Ali has been integral in bringing the Muslim problem to public attention, and she has never flinched, even when she has had to be sequestered for her own safety and endure 24-hour security details. Rumor has it that she has accepted a post at the American Enterprise Institute in the United States. That would be wonderful for AEI—not so good for Holland, and all of Europe.

■ Thanks to the efforts of the Bush administration, the Sudanese government and the country's largest rebel group have made a deal for peace in Darfur. Celebrations may be in order, but they should be tempered with skepticism. The violence in the region has been too horrific and sustained to dissipate with the flourish of a pen. A viable plan for realizing peace will require concrete action: A sizeable U.N. peacekeeping force must be allowed to enter the country, where it must further be authorized to use the requisite deadly force to deter outbreaks of violence. Judging by Sudan's habitual standoffishness and the U.N.'s record of incompetence, the prospects remain uncertain—if not bleak.

■ Tony Blair needs the skills of an escape-artist if he is to free himself from the chains now binding him. First of all, sleaze. The police are investigating how and why he bent the rules for raising money on behalf of his Labour party. Some donors appear to have been given a seat in the House of Lords, and others received government contracts. Then his tinkering with the health and education systems has maximized maladministration and alienated his party. Britain has also lost control of its borders as illegal immigrants pour in, some of them then committing crimes that are not properly punished. In a moment of lightheadedness brought on by the general election last year, Blair said that this would be his last term in office. The natural successor is Gordon Brown, chancellor of the exchequer, once a colleague, always a rival, and now unable to contain his impatience to replace Blair. Failure and factionalism have led to a thrashing in midterm elections. The Conservatives have a chance to return to power. A desperate Blair sacked or reassigned the leading members of his cabinet—evidence of weakness rather than strength. Former loyalists are defecting to the Brown camp. As with the Cheshire cat, soon there may be nothing left of Blair but the grin.

■ The United States and Japan have reached a new defense agreement. Considering the ominous rise of China and a nuclear North Korea, the deal could not come at a better time: It not only strengthens our ties in areas of mutual interest, such as missile defense and anti-terrorism, but allows for the United States to realize its goal of force realignment in the Far East. After three years of negotiations, the U.S. has agreed to shift some of its 40,000 troops from Japan to Guam, and move other bases to more remote Japanese areas—to cut down on local criticisms of the U.S. presence. At the same time the U.S. and Japan will integrate other bases in Japan, in an effort to unify regional command centers—a key component of joint missile-defense research. The agreement is in accord with the twin goals we have established to face the realities of a post–Cold War world: Lighter, more agile forces are to be stationed in strategically advantageous positions; and our allies must shoulder some of the defensive and financial burdens imposed by new global threats. As Prime Minister Koizumi and his Liberal Democratic party press for a more assertive Japanese role on the international stage, this deal assures us that, steadily, our defense network is evolving to the times.

■ When it comes to Middle East scholarship, Yale is headed the way of Columbia University (which was the home of the late Edward Said). Yale's history department voted to endorse a job offer to University of Michigan professor and professional West-basher Juan Cole. Cole neither seeks evidence nor allows facts to sway his discourse. He poses as an expert on Iraq, but has never traveled there. He claims fluency in Arabic but, given a choice to put up or shut up . . . well, let's just say he prefers English. His academic writings—all dated—have failed to make an impact on the field. His efforts to blame the West for the region's ills have been undercut by other books that use a wider range of primary sources. For academe, the stakes of celebrating work such as Cole's are great: Does scholarship require research, or will politicized hypothesis suffice? If Cole receives a lifetime appointment, Yale gives him a free pass to eschew real scholarship while each Yale student subsidizes his blog with part of his $43,050 tuition check.

■ Dan Brown's amazingly successful novel *The Da Vinci Code* deserves most of the criticisms it has gotten—as history, it is hogwash; as theology, it is garbage; and as a piece of literature, it is at best a readable thriller. With Tom Hanks in the leading

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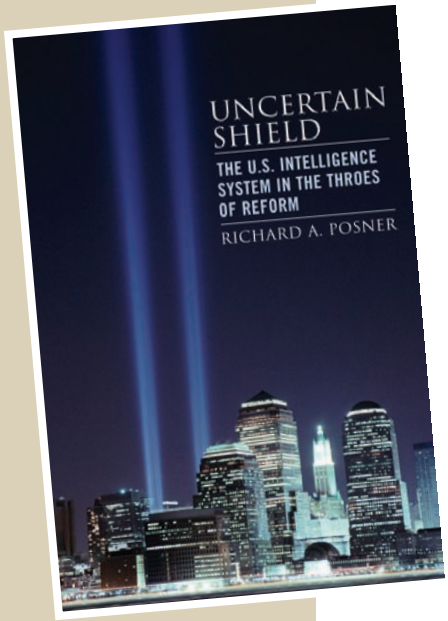

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***Richard A. Posner** is a judge on the U.S. Court of Appeals in Chicago and a senior lecturer at the University of Chicago Law School. He is the author of* Remaking Domestic Intelligence.

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role and director Ron Howard at the helm, there is every reason to expect that the movie version will enjoy a profitable run. How successful the book and movie will be in planting in people's mind the suspicion that Jesus was a husband and a father, and that the Catholic Church is thick with murderous conspirators who mean to cover it up, is anybody's guess. It is a sort of tribute to Catholicism that no other faith would inspire such lurid slander in the developed world. But that fact offers cold comfort. If Catholic leaders had done a better job of teaching the faith over the last generation, such slander would have found a smaller audience. If this pop-culture phenomenon leads Catholic teachers to do a better job, some good will have come of it.

IMMIGRATION

Abroad at Home

THE most important part of President Bush's televised address to the nation on immigration was not his call for sending unarmed National Guardsmen to temporarily assist the Border Patrol. Rather, it was his formal embrace, for the first time, of citizenship for illegal aliens.

When he first laid out his view on a foreign-worker program two years ago, he was explicit that illegal aliens could sign up but that "this program expects temporary workers to return permanently to their home countries after their period of work in the United States has expired."

In his recent address, Bush rightly emphasized security and assimilation—while advocating a policy that would undermine both goals. He adopted the position of Senators Kennedy and McCain and other amnesty supporters, saying that illegal aliens who meet certain conditions should be able to apply for citizenship. He denied that this represented amnesty because "approval would not be automatic." But when have illegal immigrants ever received "automatic" citizenship? If that is the definition of amnesty, then there has never been one.

This administration's lack of credibility on immigration enforcement can't be reversed by adding a few references to the National Guard to its tired rhetoric of unmanned aerial vehicles and more detention beds. Only action can reverse the doubts. So far, even the positive actions the administration has taken are less than they appear. For instance, the president pledged (yet again) to end the practice of "catch and release" for non-Mexican illegals at the border. The immigration service has indeed made progress in adding detention space for such people and speeding their return home, but is still releasing captured illegals back into communities.

Likewise, the arrests several weeks ago of nearly 1,200 illegal aliens working for IFCO Systems were widely touted as heralding a new wave of legal action against crooked employers. But most of the illegal immigrants were released within hours of the raids. Finally, President Bush reassured an anxious Mexican president Vicente Fox that any deployment would be only temporary, and that the regular Army would not be involved. In other words: "Don't worry, Señor Presidente, it's just symbolism."

As for the Senate's compromise bill, the Heritage Foundation has released research that should torpedo it. Robert Rector, one of the nation's leading authorities on poverty and welfare, has estimated that the bill would admit at least a staggering 103 million people over the next two decades and represent "the largest expansion of the welfare state in 35 years." Supporters of the bill call their approach "comprehensive," and they are right: They are not content merely to deal with the current illegal population or to address a supposed shortage of unskilled labor, but want to effect a massive demographic reshuffling of America while they're at it.

The president has waited six years to start talking in earnest about enforcement. He argues that a guest-worker program is required to secure the border, which is another way of saying that the border cannot be secured. Why not try enforcement first—and let consideration of amnesty, a guest-worker plan, and massive increases in legal immigration wait until we see if it works? If Bush had reiterated his support for amnesty in theory, but conceded that enforcement had to come first, he would likely have won significant public approval and helped shape events in Congress. The speech he actually gave, on the other hand, is likely further to dispirit conservatives and harden opposition among House Republicans to the Senate amnesty proposal. President Bush's speech, contrary to its goal, probably ensures that no immigration bill will reach his desk this year. Given the options, that's probably a good thing.

AT WAR

Misplaced Fears

A STORM broke loose when *USA Today* more or less rehashed news that the *New York Times* had reported five months before: In addition to eavesdropping on the international conversations of suspected al-Qaeda operatives, the National Security Agency collects a large amount of domestic telecommunication records for data-mining purposes. Not only is this news old, it isn't the least bit scandalous. The administration is operating within the law, and its activities are sensible, given the threat we face.

In 1979, the Supreme Court held that, while people have an expectation that the *content* of their telephone conversations is private, simple phone-usage information—e.g., the subscribers and numbers of the phones making and receiving calls, and the calls' time and duration—is not private. Service providers maintain records of such information, which form the basis for billing, for service inquiries by users, and for various marketing activities. Because there is no expectation of privacy in the handling of these records, they are not protected by the Fourth Amendment. For decades, the government has also gathered such records to conduct criminal investigations. This process has involved collecting records of vastly more customers than have been known to be involved in criminal conduct, but has not been held unconstitutional.

The point of investigation, particularly in national-security cases, is to *discover* who is a threat, not to confirm threats already known. The NSA program—which was designed by Gen. Michael Hayden, the president's nominee to head the

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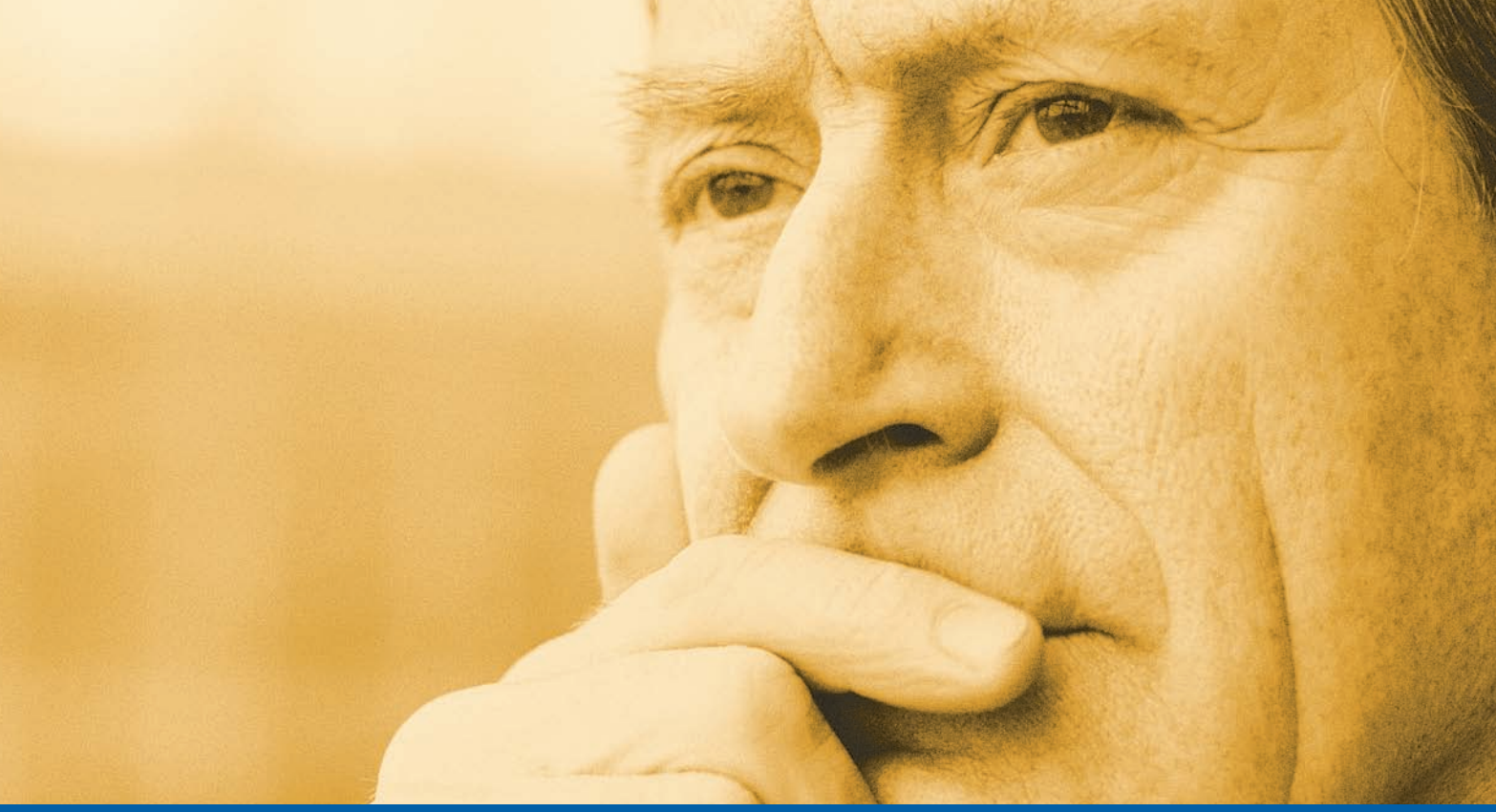

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THE WEEK...

CIA—nicely balances privacy with security. The government has apparently obtained usage records from which all personal information, such as the names of users, has been deleted. These records are scanned by computers—which raises no privacy concerns, since no human "search" takes place. If the computer logs a call by a suspected al-Qaeda member, a "hit" is registered, and the number that has been called can be traced. Far from violating the Fourth Amendment, the system protects privacy in its input process by omitting personal information from the databank, and protects privacy thereafter because only the "hits" are subjected to investigative scrutiny.

Yet the media predictably attacked the program, disingenuously suggesting that the administration is "monitoring" (as in "listening to") the private conversations of all Americans. The media also downplayed the program's privacy protections, and further developed the misleading narrative about Bush's "domestic spying." If the Left and its allies really grasp the peril that confronts us—as they indignantly insist whenever challenged—why do they slander every rational security measure that we take?

AT WAR II

The Bureaucracy Wins

WE'RE tempted to conclude that CIA operatives are still capable of deposing leaders—if only the leaders sent to clean up their agency. Porter Goss is out as the head of the CIA, after 18 frustrating months attempting to reform the recalcitrant spy agency that has in recent years been notably effective only in opposing Bush's policies.

Goss had three major problems to fix. First, the CIA's analytical track record is poor. Frequently, it "under-connected the dots" and failed to assess accurately threats to U.S. national security. This is what happened in the first Gulf War, when the CIA's prewar intelligence underestimated Saddam's WMD programs, and again in the years leading to 9/11. At other times, CIA analysts "over-connected the dots"—overestimating, beginning in the late 1990s, the extent of Saddam's WMD stockpiles.

Second, the agency is inept at its core mission of waging covert operations against America's enemies. Its capabilities had been eroded during repeated political witch hunts, beginning with the Church committee hearings of the 1970s and continuing into the Clinton administration, when several senior CIA operatives were reprimanded for recruiting alleged human-rights violators. These external pressures, combined with the unwillingness or inability of a long line of CIA directors to reward initiative and punish failure, have fostered a risk-averse and dysfunctional bureaucratic culture within the agency's covert-action directorate.

Third, while much of the permanent bureaucracy in Washington tends to lean to the left and resent policy innovations by conservative Republican administrations, this problem is particularly acute at the CIA. Indeed, much of the agency has been in a state of semi-open rebellion against the Bush administration. Numerous CIA officials engaged in efforts to torpedo key administration policies—by, for example, leaking information to the media—at key points during the 2004 presidential campaign.

Goss fought this CIA, and it won. The media criticized him at every turn, portraying his CIA opponents (and their frequent sources) as selfless and non-political professionals. He never had strong support from the White House or John Negroponte, the director of national intelligence. Goss's precipitous departure, coupled with the lack of standard White House courtesies, has created an impression that the cause of reform at the CIA has been abandoned. This impression is reinforced by the announcement that the deputy to his proposed replacement, Gen. Michael Hayden, will be one Stephen Kappes: a former head of the CIA's Operations Directorate who resigned in protest early in Porter Goss's tenure.

The criticisms leveled against Hayden—including his supposedly civil-liberties-threatening performance at the NSA, and his military rank (which, it is alleged, makes him a likely tool of Donald Rumsfeld)—are specious. He should be promptly confirmed. But the Senate would be well advised to use the confirmation process as an opportunity to block Kappes's ascension at the agency. To reward so conspicuously a man who rebelled against Goss's efforts to clean house at the CIA would send the wrong signal. Not, we're afraid, that anything will soon make a difference at Langley.

OBITUARY

A. M. Rosenthal, R.I.P.

ONLY one in a thousand Americans brushes up against such foreign bodies as newspaper writers and editors. Some bylines become recognizable, but unless the reporters have a life on television, they are sheer palimpsest, and this is the reason for the surprise, here and there registered, at the huge attention given to A. M. Rosenthal, who died on May 10 in New York, age 84. Notwithstanding that his name was not known to the many, what he did touched the lives of everyone who reads newspapers. He was the commanding figure in the evolution of serious daily journalism, which he influenced as decisively as William Randolph Hearst influenced the tabloids, and Henry Luce the weekly newsmagazines. Abe Rosenthal did it through the *New York Times*, where he worked for 55 years, rising from stringer at his college campus to executive editor.

In 20 years he altered journalism by hugely increasing the range of public notice—everything interested the Canadian-born journalist whose father, an immigrant from Byelorussia, was an indigent fur trapper and house painter. By the time Abe was named executive editor of the most influential newspaper in the world, he had changed not only the purview of the daily press but also the idiom in which it was written. The *Times*, by general acknowledgment, had become a model for journalists, and Abe did that.

His obituaries tell that he was often an angry man, that his tempers were violent, his manners often oppressive. We were friends from the time he returned home from Japan, after nine

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years as a prize-winning correspondent, to begin his administrative career at the *Times*. He was co-founder of a little club. The reasons for its formation are not chronicled and not known, but the alluvium was a half-dozen New Yorkers, some of them decisive voices in American journalism, meeting for lunch five or six times every year. Only once, that I remember, did we have the flavor of Rosenthal Anger. I myself had it once for a blistering five minutes on the telephone when he accused me of misrepresenting the *New York Times* in a news story. But that mode of A. M. Rosenthal was all but unknown to most who experienced him as a friend.

He thought of accredited journalists as something of a priestly order, their incorruptibility to be taken for granted. We met often, at his home and mine, and I once posed a hypothetical question. What would be the discipline, at the *New York Times* back when he was its boss, against a delinquent reporter? He seemed mystified by the question. He thought he was answering it when he said that no reporter at the *Times* would be guilty of such an offense as I described—"They are all professionals." He spoke in such accents as a cardinal might use in referring to men of the cloth. His respect for his profession activated the fury with which he dealt with imperfect performances by postulants.

When he wrote, he seldom displayed his hot flushes, but he could write scathingly on human rights. He was kicked out of Poland by Gomulka during the Cold War because he filed dispatch after dispatch on Communist-directed censorship and oppression. When he retired as executive editor he undertook to do a column for the *Times* twice a week. After some years, this was reduced to just once a week, and this saddened many because of his fidelity to the cause of human freedom. Cardinal John O'Connor mourned the revised schedule. The Chinese Communists were at that point bearing down hard on Tibet, bringing on a public reproach by President George H. W. Bush. This the cardinal applauded, adding, "Mr. Rosenthal, however, was writing about the plight of Tibet before many people could even find it on the map. It would not surprise me in the slightest if presidential speechwriters were avid readers of the Rosenthal column."

A very sad day was not long off, and I had the news of it from him on my cellphone. Abe was communicating to a few friends that he had been told his column would be discontinued. He had been summoned, he said, by the new young publisher ("maybe the second or third time I ever laid eyes on him") and told simply, "It's time."

This wasn't arrant cruelty: Publishers make up their own minds, and the decisions they arrive at are sometimes done without due regard for the sensibilities even of great princes, whose time has now gone. Abe Rosenthal went on and wrote elsewhere, but a few years ago he stopped completely, and spent his time reading books and magazines and lightening the days of his friends. A month ago, at lunch, he chuckled that he had lost track of the conversation in which we were engaged. He smiled with the sweetness that marked his affection for his family and friends. We were to have dined, with our wives, two days before his dialogue with all worldly matters finally ended. We profit, endlessly, from his ingenuity and perspective.

—WFB

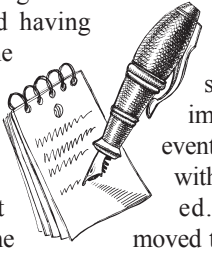
notes & asides

■ *In place of a formal obituary of George W. Roche III, herewith a note from Ronald Trowbridge, a friend and longtime associate. Mr. Trowbridge, a scholar of English literature who served for many years as vice president of Hillsdale College, was close to Roche, and tells here the relevant story.*

—WFB

George Roche died on May 5 at the age of 70. A longtime sufferer from diabetes, he had gone into a diabetic coma from which he never awoke.

What he did as president of Hillsdale College for 28 years was unique, in the true meaning of the word: He made Hillsdale what it had not been. He took it from being an obscure rural college to a national force, making it a leader both as an educational institution and as part of the conservative movement. He believed that ideas—not armies, not governments—ruled the world. To be sure, it was a team effort. But Roche was the resolute captain of the ship, and he set the course that we mates were eager to follow. Hillsdale's historic refusal to accept federal grants and loans sprang from deeply held convictions. And having denied federal intrusion, Roche proceeded to bring to the college greater financial support than Hillsdale had ever contemplated receiving from the Feds. And with that, he brought together the best faculty and the best students the college had ever known. That foundation remains, and is being built upon by his successor.



There was tragedy. On October 17, 1999, gathered in George's hospital room (he was being treated for insulin shock) were his new second wife, Dean, daughter-in-law Lissa, and son George IV. Apparently furious at his remarriage, Lissa accused her father-in-law of having a *19-year* affair with her. Two hours later, Lissa put a fatal bullet in her head. It was National Review that broke the story nationally, after an exclusive interview with son George. On November 9, the elder Roche, though consistently denying Lissa's charges in sessions with the trustees, agreed to retire as president.

For several years after the scandal, George was upset that the matter could not be publicly set straight, but he knew that it is impossible to prove a negative and eventually resigned himself to living with the charge officially uncontested. Last summer he and Dean moved to Texas, but he stayed in touch with his children, including George, with whom he had reconciled.

His eye had long been turned upward. As my own wife lay near death in February, I heard from him by e-mail. He concluded, *In your great loss, remember to be happy for Pam*. Sixty-nine days later he was dead. We remember to be happy for George.

—RON TROWBRIDGE

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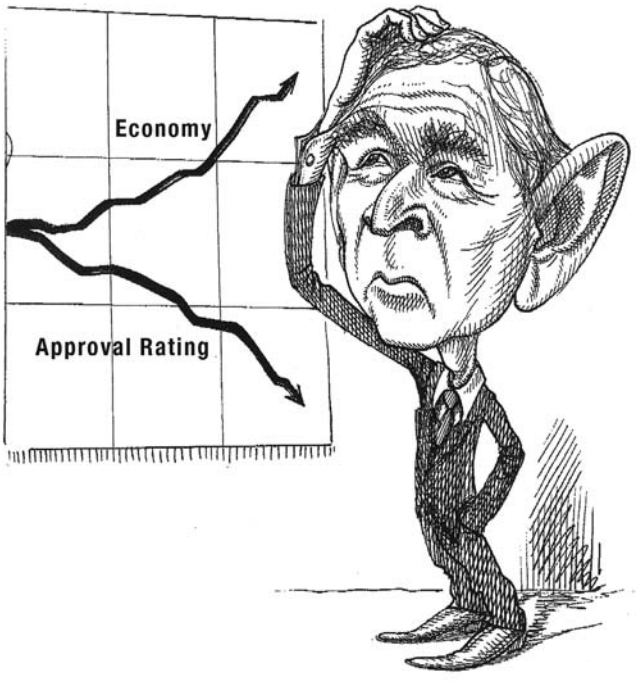

■ THE NATION ■

Good Economy, Bad Polls

Bush and the Republicans can't seem to catch a break

RAMESH PONNURU

It seems to happen every week: Some new piece of good economic news comes out, and Republicans sink a little deeper in the polls. In late April, it was estimated that the economy had grown by 4.8 percent during the first quarter of the year. A few days later, new jobs numbers came out. It turns out that 5.3 million jobs have been created since August 2003. The unemployment rate is 4.7 percent—well below the average of each of the last three decades. The stock market continued to rise, and looked likely to hit a record soon.

The public responded to all this good news by turning a little more against President Bush. In a mid-April poll by Gallup and *USA Today*, 36 percent of the public approved of the president's performance in office and 59 percent disapproved. In an early-May poll, approval had fallen to 31 percent and disapproval had risen to 65 percent. Bush's 23-point deficit had widened to 34 points.

The ratings for the Republican-controlled Congress have been sinking too. From early April to early May, approval fell from 27 to 23 percent, and disapproval rose from 61 to 64 percent, according to a CBS/*New York Times* poll. Other polls showed that more Americans believed that the country was "off on the wrong track," and fewer thought we were "heading in the right direction."

In mid-April, Gallup found that only 25 percent of the public could be characterized as having "positive" views about the economy. It also reported that the public's economic optimism has not recovered since the end of the Internet-stock boom. Most other polls yield similar findings.

In recent decades, the economy has usually been weak during midterm elections under a Republican president. Nixon faced a recession in 1970. Ford had to deal with a severe bout of stagflation, among other things, in 1974. Reagan's first midterm election, in 1982, took place against the backdrop of the worst downturn since the Great Depression. The 1986 election, Reagan's second midterm, was something of an exception to the rule, although growth dipped a little that year. The 1990 election, during the presidency of the first George Bush, came in the middle of a mild recession. And the economy and the markets were only beginning to recover from a recession in 2002. The economy this year is better than it was in six of those seven elections.

What puzzles Republicans isn't just that good economic news isn't lifting them; it's that their political fortunes have declined as the economy has improved. In 2002, Republicans worried that the recession and the corporate scandals would hurt them. But they took back the Senate, made gains in the House, and picked up governorships. In today's stronger economy, they are in danger of losing the House.

What's going on? Here are a few possible explanations.

We're uninformed. This seems to be the leading Republican theory, which comes in various forms. Some Republicans complain that neither the administration nor congressmen have done enough to highlight the good news. In their view, an opportunity was missed early in Bush's second term. The president decided to spend months making the case for Social Security reform. He was telling a gloomy economic story about the long-term future of Social Security, and thus wasn't telling a happy story about the present and near-future.

Other Republicans blame the media. Ed Gillespie, the former party chairman, recalls the old adage that "no news is good news" and adds: "The networks' corollary is that good news is no news. It is all but impossible to find a story in the mainstream media about how good the economy is."

We're sour. According to this theory, the public's response to questions about the economy reflects its unhappiness about other things: chiefly, the Iraq War. A majority of the public thinks that we are bogged down in a war we shouldn't have

ROMAN GENN

Mr. Ponnuru is an NR senior editor and the author of *Party of Death*, available from Regnery.

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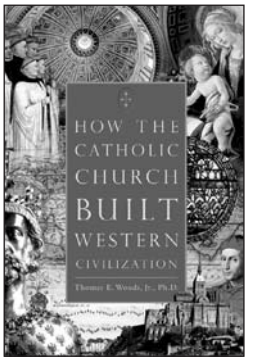

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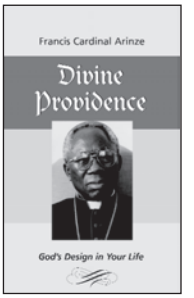

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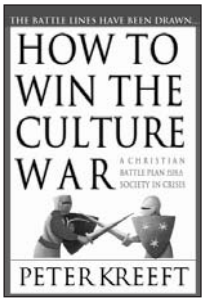

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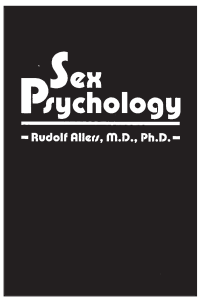

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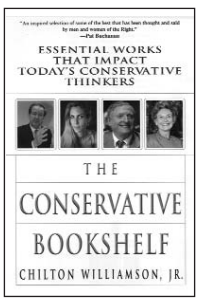

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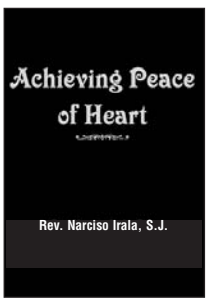

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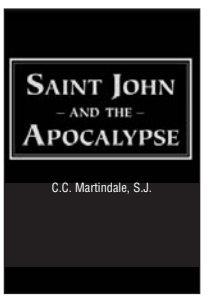

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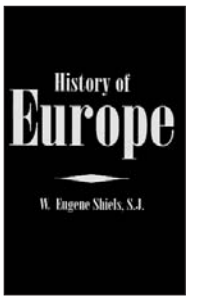

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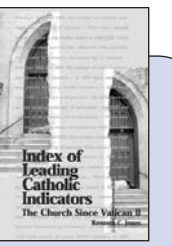

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started. That state of mind is affecting their view of everything, from how well the economy is doing to how well the Republicans are handling health care.

Gas prices are another source of unhappiness. Maybe people hear about good economic news once or twice a month, when the new jobs numbers or growth statistics are released, allows Republican pollster David Winston. "But twice a week they're going to the pump and getting their own bad news."

Partisanship is behind other voters' displeasure with the economy. The Pew Research Center for the People and the Press did a survey in January that found that Democrats were far more down on the economy than Republicans. Such a deep partisan split in views on the economy did not exist before this administration.

According to Gillespie, "The right direction/wrong track and job-approval numbers used to reflect and indicate voting behavior. The reverse is now true. . . . As long as George W. Bush is in the White House, 80 percent of Democrats are going to say the country is on the wrong track. There's an anchor on those numbers that didn't used to be there." He suspects that Republicans will act the same way if Hillary Clinton is elected.

Recently, conservatives have begun to give the president lower marks on the economy and other issues. Many of them are upset about immigration.

We're spoiled. No politician is going to say this, but it is possible that we have developed some unrealistic expectations about the economy. We haven't had a severe recession since 1982–83. The recession of 1990–91 was pretty mild, and the 2001 recession milder still. If our definition of a good economy is now the supercharged economy of the late 1990s, then today's economy is not going to make us happy.

We're old-fashioned. On this theory, the explanation for the public's dissatisfaction with the economy isn't that we adjusted too quickly to the good times of the late 1990s. It's that we haven't adjusted quickly enough to the new dynamism of our economy.

A Republican strategist recently put it this way: "The average person sees high gas prices and bankrupt airlines and GM layoffs, and it doesn't fit in their minds that this can be going on during a good economy." He compares today's changes to the transformation of the American economy between 1880 and 1930. "The reality was you were creating unprecedented amounts of wealth and moving people out of agrarian poverty into what we started to call the working class. But the commentary was almost uniformly negative. People just didn't understand it. Nobody was saying, Gosh, this is great, people are moving off the crummy farms and into cities."

It is often the case that people are more optimistic about themselves than about the whole country. But there is no large 'optimism gap' this time.

Economic changes have also made it harder for political strategists to predict the electoral effects of economic trends. Democratic political analyst Ruy Teixeira points out that, after World War II, "expansions were typically accompanied by rapid income growth and there wasn't any ambiguity about the political effects." Since 1973, he says, expansions have followed that model less and less.

We're insecure. Economic dynamism may raise most people's incomes in the long run, but it makes incomes bounce around more in the short run. Perhaps people are increasingly worried about losing their jobs, or their health care, as a result of all the churn. It's an interesting theory. But according to Karlyn Bowman, who studies public opinion at the American Enterprise Institute, the data don't back it up. Anxiety about job loss and the loss of health insurance is "not particularly high" right now.

The economy isn't that good. This is, understandably, the Democrats' favorite theory. Exhibits A, B, and C: gas prices. Exhibit D: wages. One measure of the wages of 80 percent of the workforce (those in non-supervisory positions) is "average hourly earnings." When you adjust for inflation, including the rise in gas prices, those earnings have gone down 0.5 percent over the last two years.

"In some ways it's a pretty good economy," says Teixeira. "But to say it's a great economy, given the wage numbers, is just kind of wacky."

It is often the case that people are more optimistic about themselves than about the whole country. But there is no large "optimism gap" this time. A new survey by Richard Curtin of the University of Michigan finds that nearly half of Americans expect to lose ground financially over the next year.

They may well be wrong. The wage trend is probably going to turn around, because it is plausible to assume both that economic growth will continue and that gas prices won't keep increasing at a fast rate. But for now, people do have something real to gripe about.

It's worth recalling that the boom of the 1990s took some time to get going. After a short and mild recession at the start of the decade, we began a sub-par recovery—sub-par, that is, by the standard of previous post–World War II recoveries. Jobs started to come back after economic growth did. Wages started to rise well after that. Wages for the middle-income worker didn't really rise until the last years of the decade.

Bill Clinton's first midterm election took place in the early stages of the boom. The economy was pretty good in 1994. It grew by 4.1 percent. It created more than 300,000 jobs a month, on average. The unemployment rate in November 1994 was 5.6 percent—only a little worse than it had been at the height of the previous boom. But the public didn't feel positive about the economy. And the press was warning workers about the dangers of "downsizing" until well into the winter of 1995–96. It was only later that the public became happy (maybe even a tad delirious) about the economy, and started to associate prosperity with the party in power.

We may be in the middle of the same story. The 2001 recession gave way to what began as a "jobless recovery." Then jobs started to be created. The boom may have to last a while longer before wages rise.

So Republicans who think that the strong economy ought to benefit them might get their wish, eventually. But it may not be in time for the elections. The economy was pretty good in 1994. The Democrats still lost both the House and the Senate that year. **NR**

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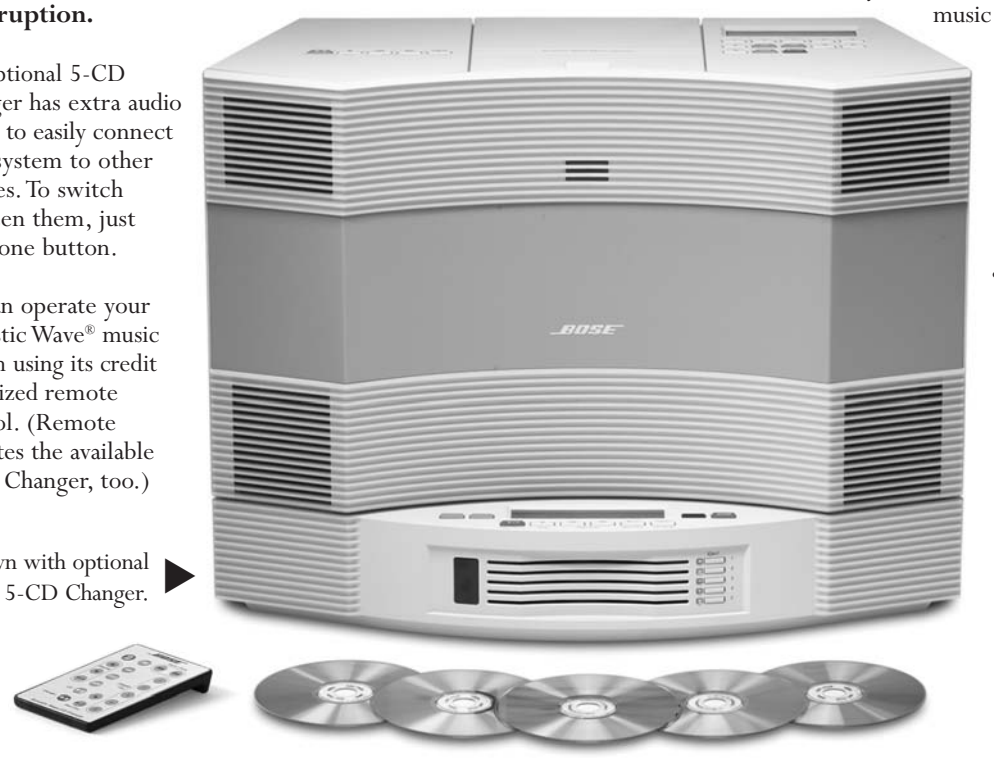

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■ WASHINGTON

What's the Holdup?

More stalling, smearing, and fumbling on judicial nominees

KATE O'BEIRNE

THE conservative dissatisfaction with President Bush's performance, which has recently prompted tougher talk from Bush on border security and spending restraint, now threatens the support he has enjoyed on judicial nominations. In the past year, only two federal-appeals-court nominees have been confirmed, and no nominee has even been selected for nine of the current vacancies.

Conservative activists complain that the momentum following the successful nominations of Chief Justice John Roberts and Justice Samuel Alito has been squandered, owing to White House and Senate inattention. While these White House allies saw a chance to score easy goals after the Supreme Court fights, Senate Democrats and their liberal supporters have been on vigorous defense. Sen. Harry Reid is vowing to filibuster one candidate whose nomination has been pending for five years; meanwhile, the American Bar Association (ABA) recently downgraded its rating of another nominee, and has given a unanimous "unqualified" rating to a third. If Republicans want to rally conservative voters with the issue of judges this November, they have to be more aggressive and effective in defending the nominees under assault.

"A good fight on judges does nothing but energize our base," says South Dakota's Republican senator John Thune. "Right now our folks are feeling a little flat. They need a reason to get engaged, and fights over judges will do that." But some of the administration's most loyal supporters think too many Republicans lack the stomach for the fight. In early May, key Bush allies on judicial nominations declined to attend a large meeting at the White House in order to avoid so publicly airing their serious dissatisfaction with the way the nominations are going. They fault both ends of Pennsylvania Avenue. "There is a lot of lip service paid to the importance of judges, but no real effort is made," complains one conservative leader.

The White House will reportedly soon be sending about two dozen judicial nominees to the Senate for confirmation. The fate of these nominees will depend on the willingness of the White House and Senate Republicans to counter the kind of objections, distortions, and smears that have been leveled against previous nominees.

Brett Kavanaugh, a White House lawyer who previously worked for independent counsel Kenneth Starr, was nominated to the D.C. Circuit Court of Appeals three years ago. When the seven Republicans and seven Democrats in the "Gang of 14" blocked a Senate vote that would have put an end to judicial filibusters last year, preferring instead to allow filibusters in "extraordinary circumstances," Kavanaugh's nomination stalled. Owing to the delay, Kavanaugh had to be renominated by President Bush, which gave the ABA an excuse to revisit its previous "well qualified" rating. On second look, a majority of the ABA downgraded Kavanaugh to "qualified." The committee's chairman explained that the committee now had concerns that Kavanaugh—a former Supreme Court clerk and current White House staff secretary—lacks the requisite judicial temperament because his experience is too "insulated."

Although Judiciary Committee chairman Arlen Specter initially balked at the Democrats' demand for a rare second hearing on the nomination, he eventually relented and gave Kavanaugh's critics another crack at him. Following the second hearing, Democrats who never had any intention of supporting Kavanaugh in the first place opposed his nomination, and he was sent to the Senate floor on a party-line vote. Although Majority Leader Frist pledged to hold a final vote on his nomination before the Memorial Day recess, a busy Senate calendar could further postpone it.

Republicans have also permitted district-court judge Terrence Boyle, a former aide to Jesse Helms, to be tormented for the past five years. Appointed by President Reagan in 1984, Boyle was nominated to the Fourth Circuit Court of Appeals by the first President Bush in 1991, and by his son ten years later. Although the ABA gave him a unanimous "well qualified" rating, he was blocked by former senator John Edwards, while Senator Reid launched attacks about his allegedly high rate of reversals. "In the years he's been there, which hasn't been very long, he has been reversed 165 times," Reid charged. In fact, Boyle has been a federal judge for 22 years, has ruled in over 12,000 cases, and has a lower reversal rate (7.5 percent) than the national average (8.6 percent).

Boyle's nomination was finally approved by the Judiciary Committee on a party-line vote last year, but members of the Gang of 14 are now declining to support him, owing to ethics charges recently raised by a left-wing outfit. In early May, the Center for Investigative Reporting claimed that Boyle has ruled in nine cases involving companies whose stock he owned. Harry Reid called this report "the clincher," and it was trumpeted in the online magazine Salon. Democratic members of the Gang of 14 demanded another hearing for Judge Boyle while Sen. Lindsay Graham, a GOP member of the gang, refused to say whether Boyle still had his support.

The White House and Senate Republicans were tongue-tied in response to the charges, although phony ethics concerns are routinely raised about President Bush's judicial candidates in the hope of complicating their nominations. Judge Roberts was accused of failing to recuse himself from a terrorist case while he was allegedly courting favor from the White House, and Senate Democrats claimed that Judge Alito's investments in a Vanguard account created conflict-of-interest problems. In Boyle's case, only Senate outsiders, including some of his former

Kate O'Beirne, NR's Washington editor, is the author of *Women Who Make the World Worse: and How Their Radical Feminist Assault Is Ruining Our Schools, Families, Military, and Sports.*

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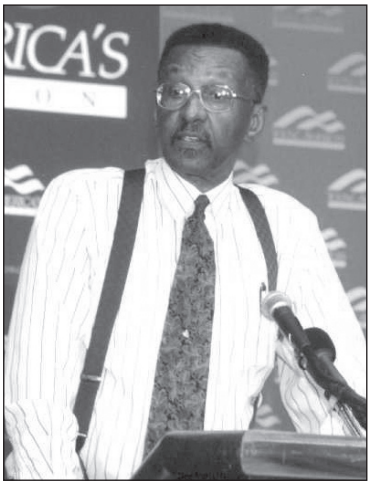

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law clerks, have been aggressively defending him. These defenders provide evidence that thoroughly refutes some of the report's assertions, and make a convincing case that any seeming ethical lapses were small, inadvertent, and no reflection on Boyle's integrity. Still, given the GOP's "one step forward, one step back" approach to judicial nominations, conservatives fear that, once Kavanaugh is approved, some Senate Republicans will be willing to toss Judge Boyle aside.

The ABA has its own recusal problems, with the result that Michael Wallace, a former Rehnquist clerk and aide to Sen. Trent Lott, faces what looks like an insurmountable problem in winning confirmation to the Fifth Circuit Court of Appeals. On May 10, the ABA committee announced that Wallace had received a unanimous "not qualified." The Mississippi lawyer is a battle-scarred veteran of the wars over the Legal Services Corporation (LSC) in the 1980s. Wallace's supporters call his efforts to end liberal activism and deliver services to the poor as a Reagan appointee on the corporation's board "heroic," but his liberal adversaries saw his reform efforts differently. Among his harshest critics 20 years ago were Michael Greco, the current president of the ABA, and Stephen Tober, who now chairs the ABA's committee on judges. Lawyers recall Greco's castigating Wallace at a convention in Hawaii in the 1980s; and a transcript from December 1987 reveals that when Tober, then president of the bar in New Hampshire, appeared before the LSC board chaired by Wallace, there was a heated personal exchange in which Tober accused Wallace of having a "hidden agenda." Given this contentious history and the ABA's insistence that those they judge avoid even the appearance of impropriety, Tober should have recused himself from pronouncing on his old adversary.

While Wallace's allies see old grudges at play, they have little hope that GOP senators will rally to defend a nominee saddled with a unanimous ABA thumbs-down after failing to rally behind nominees even the ABA has smiled upon. Republicans willing to abandon the president's nominees risk their voters' doing the same to them this November. **NR**

■ THE MEDIA

'Mr. Counter-Terrorism Guru'

He says he's not, but others say he is

BYRON YORK

On July 10, 2001, the *New York Times* published an opinion article titled "The Declining Terrorist Threat." It was written by Larry C. Johnson, a former CIA analyst and State Department counterterrorism official, who argued that Americans spent too much time worrying about terrorist attacks that would likely never come. "Judging from news reports and the portrayal of villains in our popular entertainment," Johnson wrote, "Americans are bedeviled by fantasies about terrorism." And then:

> They seem to believe that terrorism is the greatest threat to the United States and that it is becoming more widespread and lethal. They are likely to think that the United States is the most popular target of terrorists. And they almost certainly have the impression that extremist Islamic groups cause most terrorism. None of these beliefs are based in fact.

Surveying the security situation around the world, Johnson sought to reassure readers. "The greatest risk is clear: if you are drilling for oil in Colombia—or in nations like Ecuador, Nigeria or Indonesia—you should take appropriate precautions," he wrote. "Otherwise Americans have little to fear."

Two months later, the planes of September 11 crashed into the World Trade Center, the Pentagon, and a field in Pennsylvania. And Larry Johnson became known, at least in the eyes of some of his former colleagues, as the author of perhaps the most embarrassing op-ed ever published. "The worst," says one such colleague. "On an issue of national interest, has there ever been a worse prognostication in the history of man?"

Probably not. Yet Johnson's career as a commentator did not just continue after September 11—it thrived.

In recent years, Johnson, who says he is a registered Republican, has made a new career of using his CIA credentials to bash the Bush administration. He has become a favorite not only of the left-wing blogosphere—on his website, called No Quarter, he writes entries like "Frog-March the Bastard," which was a call for the indictment of Karl Rove—but also of the nation's biggest newspapers and cable news networks. If you're a reporter looking for a quote criticizing the president about warrantless surveillance, or about the CIA's "secret prisons," or about the troubled efforts to reform the spy agency, Johnson is your man. In just the last few months, his observations about intelligence matters have appeared in or on the *New York Times*, the *Washington Post*, the New York *Daily News*, the *Sunday Times* of London, the *Guardian*, the Associated Press, Knight-Ridder, National Public Radio, CNN, MSNBC, and more.

Why does Johnson receive such attention? Compared with some of the CIA's other critics, like Bob Baer, who spent 21 years as a case officer, or Milt Bearden, who spent 30 years at the agency and left as a high-ranking official, Johnson's credentials are a little thin. He worked there as an analyst, not as a top manager or a covert agent, for all of four years, 1985 to 1989, which means it has been 17 years since he was employed by the CIA. And his specialty wasn't the Middle East or terrorism; instead, he dealt with issues related to Central America, a subject he's rarely called on to comment about today. What experience he had with terrorism came not at the CIA but at the State Department, where he worked mostly on transportation-security issues from 1989 to 1993.

So why the demand for Johnson's opinions? "He's willing to say very bold things," says a former intelligence official. "If you say things that are balanced and reasoned and calm, they're less likely to ask you back than if you throw some bombs."

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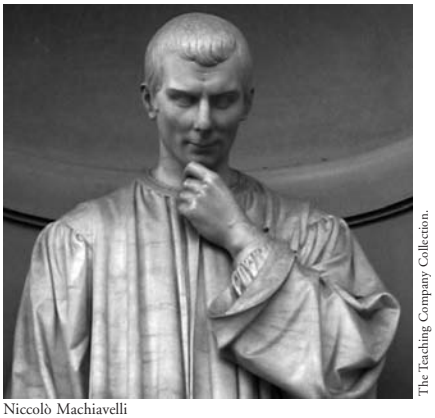

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That is certainly true, but perhaps the biggest reason for Johnson's prominence these days is his connection to Valerie Plame Wilson, the woman at the center of the CIA-leak investigation. Although they've never been characterized as close friends, Johnson and Plame began CIA training together in 1985, and Johnson rushed to her defense when her identity was revealed as part of the White House's pushback against her husband, former ambassador Joseph Wilson, who had attacked the administration over pre-war intelligence. Denouncing the administration figures involved in the matter as "traitors," Johnson maintained that the leak did horrendous damage. "Not only was her cover destroyed, but an undercover company was destroyed," he said in April on MSNBC. "Intelligence assets that were involved with trying to determine, detect, and protect America against weapons of mass destruction—they were destroyed in that leak."

That would certainly qualify as a bold—and questionable—statement. In the actual investigation, CIA leak prosecutor Patrick Fitzgerald, trying the case against former Cheney chief of staff Lewis Libby, has said that prosecutors do not plan to offer "any proof of actual damages" caused by the Wilson leak.

Still, Johnson is a go-to guy on the leak affair. And by an almost Zelig-like coincidence, he is also an acquaintance of another woman involved in another big leak case: Mary McCarthy, the CIA analyst fired for allegedly leaking classified information, possibly about the "secret prisons" story. Johnson and McCarthy worked together at the CIA in 1988, and Johnson took up her cause when she was fired as part of the CIA's attempt to crack down on leaks. In an interview with the *Washington Post*, Johnson speculated that McCarthy might have thought the CIA's anti-leak campaign was "a whitewash," and therefore might have come to the conclusion, "Why not tell the press?"

Johnson was speculating, at least in part, because he has not stayed close to McCarthy in the nearly 20 years since they worked together. In fact, he told National Review that "she's the reason I left the CIA," explaining that McCarthy was a "lousy manager" who had "no experience in Latin America." Listening to him talk, it appears they really, really did not get along. Yet when McCarthy became an anti-Bush hero, Johnson put aside his feelings to become her defender. One for all and all for one when it comes to opposing the president.

To his credit, Johnson is not one of those figures who refuse to speak with anyone who might ask him difficult questions. He has always been willing to talk to National Review, and, in a discussion for this article, he didn't bristle even when asked about "The Declining Terrorist Threat."

Larry Johnson is celebrated not so much for what he knows as for what his fans hope he knows.

Of course, he didn't give an inch, either. "I stand by everything I said in that piece," Johnson says. "Go through it in detail. Put it into the right context. . . . Nowhere in that article did I say we needed to ignore Islamic terrorism."

Mark that up as another bold statement. On the issue of his credentials, Johnson says he received commendations for his work at the CIA, but he takes a more modest tone than one might expect. "I don't represent myself to be Mr. Counterterrorism Guru," he says. "I get introduced as the deputy director of counterterrorism at the State Department. But my full title was deputy director for transportation security, antiterrorism assistance training, and special operations. In Washington, the longer your title, the less important you are, and I had a really long title."

As for his connections—how he knows enough to speak about the CIA after 17 years away—well, that's where the openness ends. "I'm not going to get into the specifics of how I know what I know," Johnson says. And that's that.

Of course, that doesn't really matter to Johnson's fans in the press and the left-wing blogs. Johnson is celebrated not so much for what he knows as for what his fans hope he knows: that the Bush administration is corrupt, traitorous, and a danger to national security. These days, he can always find someone to listen. **NR**

■ AT WAR

Inventing Abuse

If the administration isn't violating civil liberties in its pursuit of terrorists, some people will say it is anyway

STEPHEN SPRUIELL

After *USA Today* reported that the National Security Agency had collaborated with three U.S. phone companies to construct a database of domestic phone records, critics fell all over one another denouncing the program. They called it, among other things, "a vast and unchecked intrusion on privacy" and "the Bush administration's most egregious abuse of power to date."

The criticisms stand on two basic principles. First, while programs to prevent terrorist attacks are desirable, the privacy of innocent Americans must be protected at all costs. And second, although the Constitution gives the president the duty to protect the country from foreign threats, any act of the legislature may circumscribe his constitutional authority to do so.

Neither principle is in fact violated by the NSA phone-data program. So, stuck with a weak argument, critics of the program have had to invent all kinds of hypothetical ways in which the database could be abused. But they have yet to provide any evidence that it has been abused in the past, or to give a compelling reason for believing it will be abused in the future.

Most of what we know about the program comes from the *USA Today* article of May 11. The paper reported that shortly after 9/11, the NSA began working with three phone companies—AT&T, BellSouth, and Verizon—to create a database of phone records in which the agency could look for patterns. The process is called linkage analysis, and corporations

Mr. Spruiell writes the media blog for National Review Online.

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do it all the time in order to find patterns in consumer choices. The NSA wanted to use this technology to look for networks and possible linkages associated with phone numbers discovered during investigations of terrorist activity.

According to *USA Today*, the three participating phone companies (a fourth—Qwest—refused, citing legal concerns) deleted "names, street addresses, and other personal information" from the phone records they provided to the NSA. The NSA does not listen to or record the content of any purely domestic phone call; it simply enters phone numbers—and the linkages among them—into a massive database.

Critics argue, specifically, that the program violates the Fourth Amendment's protection against unreasonable government intrusions of privacy; and they point to a number of federal communications laws that they claim the NSA or the phone companies violated when they agreed to share domestic phone records.

On the question of whether this program has violated anybody's constitutional right to privacy, there seems to be broad agreement that the answer is no. "This was considered by the Supreme Court in *Smith* v. *Maryland*," says Robert F. Turner, associate director for the Center for National Security Law at the University of Virginia. "This issue has already gone to the high Court and been settled." In *Smith*, the Court ruled that information voluntarily provided to third parties is not protected by the Fourth Amendment. "We doubt that people in general entertain any actual expectation of privacy in the numbers they dial," the Court said. Explains Turner: "The [NSA is] not listening to anybody's phone call. They're trying to figure out what phone numbers are connected to other numbers that are tied to terrorists."

The second question—whether this program has violated any federal communications laws forbidding phone companies to give this kind of data to the government—is more complicated, but evidence points to the conclusion that no laws were broken. Congressman Pete Hoekstra, the Michigan Republican who chairs the House Intelligence Committee, was briefed on the program, and so were other key members of Congress. Hoekstra tells NATIONAL REVIEW that "on a bipartisan basis, as the leadership of the intelligence committees and the leadership of the House and Senate reviewed this program, obviously we didn't think there were any violations of the law."

George Terwilliger, who served as deputy attorney general in the George H. W. Bush administration, spoke more specifically about the statutes in question. "I think it's fair to say that the statutes contemplate the transfer of this generic type of data much more on a case-by-case rather than a wholesale basis," he says, meaning that the statutes call for a court order only in cases when the government is making a targeted request for information. But, he adds, "I don't see anything in the statute that forbids such a wholesale turnover."

Others, such as former Bush administration Justice Department spokesman Mark Corallo, argue that the statutes don't apply in this particular case because the legislature cannot encroach upon the president's constitutional authority to intercept enemy communications in a time of war. "The fact is that, in this case, no statutes apply," Corallo says. "It's the constitutional authority of the president. We are at war, and the president has the authority to gather intelligence to repel foreign threats. It goes back to the beginning of the Republic—the Supreme Court has just never held that the president doesn't have that authority."

The facts are not generous to critics of the NSA phone-data program. And the case they make also seems rather out of place in a post-9/11 security environment. They have not only applauded *USA Today*'s exposure of a secret national-security program, they have based their objections to it on the merest hypothetical abuses. Their primary line of attack is that the NSA could enter these phone numbers into other databases to get names and addresses and, as the *New York Times* editorial board put it, "compile dossiers of what people and organizations each American is in contact with."

Leave aside the fact that the sheer size of the database and the task for which it was designed make anything like that highly unlikely. The bottom line, says Terwilliger, is that "the government is legally allowed to acquire this material from the telephone companies, and whether they do it piecemeal or wholesale seems to me immaterial to the legal analysis." It does make a difference, however, when it comes to the speed with which the government can analyze the data. Terwilliger, who handled terrorism cases as a U.S. attorney, says it can take months and months to put a link analysis together if you have to get a separate subpoena for each new set of phone records. "If what we're trying to do is prevent another attack," he says, "we don't have the luxury of taking months and months."

The critics of the program can't stop the government from acquiring these records, but they want to slow it down—for fear that the NSA's data-mining technology will be used for some sinister purpose. And that bothers Debra Burlingame, whose brother Charles F. "Chic" Burlingame III was piloting American Airlines Flight 77 the day Islamist terrorists hijacked it and crashed it into the Pentagon. Debates over privacy and security aside, her foremost concern is that news organizations like *USA Today* are running stories that tell our enemies what we're doing to prevent their attacks.

"The more these NSA programs are revealed, the more our enemies learn," she says. "That is my fear—that in defending these programs, we render them useless." **NR**

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■ HISTORY

Your 'Robber Baron,' My American Hero

Or at least that's true in many cases

JONAH GOLDBERG

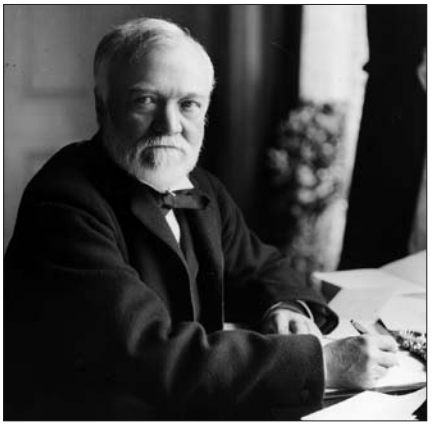
In terms of blunders, it's not quite launching a land war in Southeast Asia, but one would still be well-advised not to rely on Nancy Pelosi for lessons on history or economics. "We are living in a new era of robber barons," the woman-who-would-be-Speaker proclaimed recently. "The American consumer is paying record prices, while oil companies make record profits and make record contributions to Republicans."

Ah, the Robber Barons: those bloody-lipped ghouls preying on the downtrodden. Clearly using the Liberal Field Guide to Spotting a Robber Baron, Pelosi mentions three keys to spotting one in the wild. First, the consumer—a.k.a. "the little guy"—is having a rough time. Second, some rich people—a.k.a. "fat cats"—are making some extra coin. And third, Republicans—a.k.a. "the focus of evil"—are benefiting in the process.

So entrenched is the Robber Baron epithet, in our textbooks and our culture, that we've come to think of them as an objective social class, as epistemologically real as "the poor" or "the middle class." The reality is a bit different. One cannot say that the "robber barons" of the 19th century didn't, in fact, exist—but the term is so freighted with partisanship that it distorts more than it reveals. It's analogous to Ronald Reagan's use of the term "welfare queens." Indisputably, there were "welfare queens" in the sense that there were women who gamed the system for personal gain. But few would dispute that the term is highly partisan; imagine a school textbook 20, or 200, years from now using "welfare queen" as an objective, analytical term.

There were real robber barons—in the 12th and 13th centuries. These were feudal lords who controlled access to key transportation sites, like rivers, bridges, and mountain passes. They would extract exorbitant fees from desperate travelers with no choice but to pay. Sometimes they were simply highwaymen acting under the color of authority. So here is irony number one: The original robber barons weren't businessmen at all, but grasping state officials.

In the 19th century the term emerged as a catchall for brigands, highwaymen, and carpetbaggers. After the Civil War, it was increasingly used to describe Carnegies and the like. But it wasn't until Matthew Josephson's intellectually bankrupt 1934 book, *The Robber Barons: The Great American Capitalists, 1861–1901*, that the term stuck as a description of those leeches of the liberal imagination. Josephson was a relentless partisan for socialist economics, and his book would have to be



Andrew Carnegie: great for the poor

greatly improved to be considered shabby history. He took literally Balzac's dictum that "behind every great fortune lies a great crime," and assumed that wealth was by its very nature felonious.

There's no disputing that the poor often had a rough time of it during America's race through industrialization. One need not rehearse the hardships of the meat-packing industry to know that. But acknowledging this need not require buying into all the conspiratorial nonsense written into the Left's psyche. Populists and socialists have a well-documented tendency to see villainous human agents behind superficially unwelcome historical forces. If a worker has a grievance, it must be because a bad man in a room somewhere wants it thus. The 1892 Populist platform captured this spirit nicely when it warned that "a vast conspiracy against mankind has been organized on two continents, and it is rapidly taking over the world." This sort of thinking is inherent to any doctrine that places "class interests" at the center of political explanation. Marx may have championed the cold impersonal forces of history, but *Marxists* always see string-pullers, Shylocks, and "robber barons" behind the curtain.

The irony is that, if one actually looks at them through a colder, more impersonal prism, the so-called robber barons were actually great for the poor in the long run. From 1890 to 1910, U.S. GNP grew at 6 percent a year. According to historian Burton Folsom, in 1870 America was creating 23 percent of the world's industrial goods, while Britain and Germany produced 30 and 13 percent respectively. By 1900, America was in first place with 30 percent; Britain fell to 20 percent, and Germany rose to 20 percent. In 1870, Britain was the world's chief steel producer; by 1900, Andrew Carnegie alone made more steel than all of Great Britain.

And this wealth did more than simply "trickle down" to the poor. The robber barons didn't "steal" their wealth from the working classes; they took a commission, and a pretty small one at that. Cotton magnate Edward Atkinson spelled it out. "Through competition among capitalists," he wrote, "capital itself is every year more effective in production, and tends ever to increasing abundance. Under its working the commodities that have been the luxuries of one generation become the comforts of the next and the necessities of the third. . . . The plane of what constitutes a comfortable subsistence is constantly rising, and as the years go by greater and greater numbers attain this plane."

Addressing some workers in 1886, Atkinson tried to explain how everyone gained from a free market. Cornelius Vanderbilt, Atkinson observed, made a profit of 14 cents from every barrel of flour shipped over his railroads. His efficiency lowered the price of flour for consumers. "Did Vanderbilt keep any of you down," challenged Atkinson, "by saving you $2.75 on a barrel of flour, while he was making 14 cents?"

ERNEST H. MILLS/GETTY HULTON ARCHIVE

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The wealth created by the robber barons benefited the poor in indirect ways as well. Just drive around the country and count the number of libraries, schools, museums, and parks that would not exist but for the largess of the predatory wealthy. Without the Morgans, Gettys, Rockefellers, Goulds, and Vanderbilts, few of the truly great cultural institutions we take for granted would be standing today. Carnegie poured millions of dollars into public libraries across the country in order to provide "ladders within reach upon which the aspiring can rise."

None of this is to say that all the robber barons earned a pass through the pearly gates. Folsom, for example, rightly distinguishes between industrialists who made their money as entrepreneurs and those who gamed the political system. The Union Pacific and Central Pacific railroads were giant pork projects, and the work ended up being shabby and overpriced. But James J. Hill's Great Northern Railroad was a cathedral of both quality and entrepreneurialism, largely because the government stayed out of it.

A similar distinction obtains today. Oil companies are in no way "feeding off" the poor: Oil-industry profits are proportionately quite unremarkable, they just seem enormous because of the enormous investments required to create them. There *are* high gas prices—but these are the intentional result of liberal policies. Gas additives, restrictions on oil exploration and refining, and other environmental regulations keep prices high as, of course, do gas taxes—taxes liberals consistently seek to raise. Indeed, Pelosi and Chuck Schumer—who parrots the robber-baron argument—have repeatedly voted to raise taxes on gas and energy generally. According to Pelosi and Schumer, high gas prices are—in and of themselves—proof of predation on the little guy. What they leave out is that, except for the years 1981–83, there has never been a year in which oil-company profits exceeded the amount government has charged for gas in the form of taxes.

And that's the biggest irony of all. People have to buy gas, and—by definition—gas companies have to sell it. The highwayman here taking advantage of the wayward traveler is the government itself. But none dare call Uncle Sam a Robber Baron. **NR**

■ **THE ADMINISTRATION**

Space Is for Science

And not for shuttles, stations, and Bushian 'vision'

JOHN DERBYSHIRE

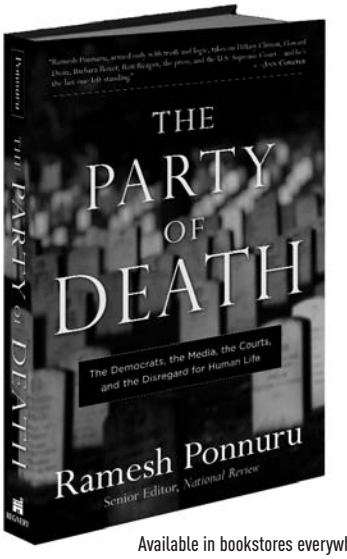
Some of the greatest advances of human knowledge in the present age have occurred in the space sciences. There are those wonderful pictures of the planets returned to us by robot spacecraft, resolving what had been fuzzy blobs or mere points of light in the telescopes of just 50 years ago into landscapes and skies, mountains and rock-strewn plains, volcanoes and storm systems. Just as sensational, and perhaps more important in the long run, have been the results returned from robot telescopes in orbit or in the stratosphere, observing the weird and mysterious objects that inhabit extrasolar space, or peering back to the remotest regions of the universe in search of understanding about our ultimate origins. Practically all of this progress has been paid for by the U.S. taxpayer, the funds being disbursed through NASA, the National Aeronautics and Space Administration.

NASA's budget proposal for fiscal year 2007, released February 6, was therefore scrutinized with keen interest by space scientists and interested citizens. The overall reaction has been shock and dismay. The cries of pain can be heard on space-science websites like Universe Today and in astronomy-hobbyist print magazines like *Sky & Telescope*. Rick Fienberg, editor-in-chief of the latter, sums it up in his June editorial: "Astronomers' worst fears about President Bush's 'Vision for Space Exploration' are coming true. . . . Faced

Mr. Derbyshire's new book, *Unknown Quantity*, a history of algebra, was published May 15.

The War Against Humanity

Ramesh Ponnuru Exposes the Democrats' Death Wish



National Review senior editor Ramesh Ponnuru warns Red State America that the 2006 elections could elect the "Party of Death." Ponnuru exposes how an influential minority is employing the media, the courts, politicians, and doctors in their plan to destroy any "inconvenient" human life, from the unborn to the elderly and the disabled.

The Party of Death reveals just how extreme the Democratic party has become and why their agenda must be exposed—and stopped—if there is any hope of saving our future.

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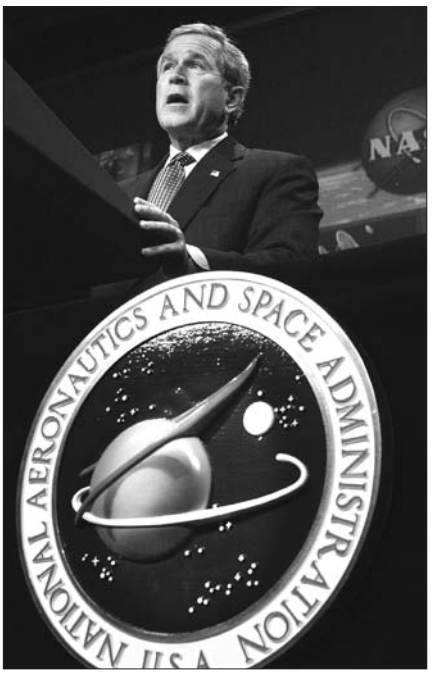
with the skyrocketing cost of returning the shuttle to flight and completing the international space station, NASA is cutting billions of dollars from science."

The "Vision" Fienberg refers to is the one set out by the president in January 2004, proposing a return of astronauts to the moon and a manned mission to Mars. The net effect of the Vision so far has been to suck even more of NASA's funds away from real science. Expenses for the space shuttle and the International Space Station (the first a ghastly 1960s-era blunder of negligible scientific value that no one has the courage to cancel, the second a diplomatic extravaganza, also for the most part scientifically worthless) were already unbalancing the budget. The Vision has capsized it. In the 2007 budget proposal, 37 percent of the total $16.8 billion is designated for the shuttle and the ISS, 24 percent for the Vision, and 32 percent for real science, with a small remainder for aeronautics and climate work. Hidden in those percentages are major reallocations from science projects to the scientifically nugatory man-in-space programs. Science spending over 2007–2011 is to be reduced by $3 billion, even as the overall NASA budget is projected to increase.

This flies in the face of NASA chief Michael Griffin's vow, back in September of last year, that "we do not take one thin dime out of the science program" to fund NASA's other projects. Nobody is blaming Griffin, though. The fundamental problem, as everyone knows, was the one identified in a report issued by the National Academies of Science on May 4: "NASA is being asked to accomplish too much with too little." Griffin, a capable and well-liked man, has simply been ground down by the bricks-without-straw environment he works in, with too many grandiose ideas chasing too few budget dollars. President Bush's Vision has not only added to these problems, but has failed even to accomplish its intended objective of providing clear direction to our nation's manned-space efforts. Skepticism that the Vision will ever amount to anything is widespread. Apollo 11 astronaut Buzz Aldrin recently voiced it. Come the next presidential election, Aldrin said, the Vision might be scrapped for partisan reasons. "Do we align [behind the Vision] or do we not?" he asked. The question was widely taken to be rhetorical.

The pain and anger among space scientists would be less if it were not that some of the projects being canceled are near completion. SOFIA, for example, the Stratospheric Observatory for Infrared Astronomy, features a large telescope mounted in a suitably rigged Boeing 747 flying high enough to collect infrared light that is absorbed by the lower atmosphere. As *Sky & Telescope*'s Fienberg points out, this arrangement can be maintained and updated at far less cost than the Hubble space telescope. Just before the president unveiled NASA's 2007 budget proposal,



Unveiling the 'Vision,' January 2004

ROGER L. WOLLENBERG/UPI

the SOFIA team issued a statement celebrating the completion of all major aircraft modifications and announcing the start of flight tests this fall. SOFIA was allocated nothing in the budget proposal, though a review is now taking place. Similarly with the NuStar x-ray spectroscopic telescope, which was well advanced, within budget, and without technical problems. NuStar has been canceled. The February budget even canceled the Dawn program to send robot spacecraft to major asteroids Ceres and Vesta, the most interesting of the cis-Plutonian bodies still unexplored. That decision saved just $30 million from a $370 million project that was near completion. Protests from space scientists were so vigorous, however, that Dawn has now been reinstated.

It's the same with all the pure-science budget. Ingenious projects with high rates of scientific return, designed by dedicated people working for low salaries, and always with a watchful eye on expenses, are being canceled in favor of the shuttle, the space station, and the Vision. Space-science reporter Jonathan McDowell groans, "Morale is plummeting in the U.S. space-science community as senior scientists see years of work evaporate with a stroke of the financial pen, and young astronomy Ph.D.s are wondering whether a career in the field is even possible."

There is of course a libertarian argument to be made that pure-science funding is no business of government. The consensus in Western civilization from the late 17th century has been otherwise, and support for pure space-science research on the taxpayer's dollar has been robust in the U.S. for the past few decades. In this context it is ironic that while there is little prospect for private-sector funding of the pure-science projects that are being cut, the man-in-space efforts on whose behalf they are being cut are increasingly the province of entrepreneurs. It is already two years since the successful maiden flight of *SpaceShipOne*, paid for by Microsoft co-founder Paul Allen, and at least five other private ventures are in development or design. Of course, none of these missions is nearly as ambitious as President Bush's Vision, but this is probably a mammal-versus-dinosaur situation. Evolutionary metaphors are in fact hard to avoid when writing about manned space flight. *The Economist*, reporting on these private ventures, quoted Peter Diamandis, founder of the $10 million X-Prize for a successful, privately financed suborbital flight, as saying that a "Darwinian explosion" of commercial-spacecraft designs is developing.

Further, while near-earth manned space flight offers opportunities for entrepreneurs, human travel into deep space, and human residence on the moon or Mars—the very things on which NASA is betting the farm—may not actually be possible. Deep space is a very hostile environment for living tissue. A spacecraft in unpowered flight (we have no technology for prolonged powered flight at anything remotely approaching the necessary accelerations) has no gravity; and the human body deteriorates in unpleasant ways after a long spell in zero gravity. There are con-

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ceivable, though expensive, fixes for that. There are also conceivable fixes—though now the expense is multiplying by quite large numbers—for the hazards posed by fluxes of dangerous particles emitted from storms in the sun's atmosphere. Astronauts in near-earth orbit are largely protected from these dangers by the Earth's magnetic field, and earthbound life has the additional protection of our atmosphere. Alas, neither the moon nor Mars has a significant magnetic field; and the Martian atmosphere is a mere wisp compared with Earth's.

And there is a known hazard beyond these for which we have no fix at all. Cosmic rays—particles from beyond the solar system—are also plentiful, and can have stupendous energies. One such slammed into the Earth's upper atmosphere over Salt Lake City on the evening of October 15, 1991. From the subsequent shower of secondary particles—fragments of shattered atmospheric atoms—the energy of what has been called the Oh-My-God particle has been estimated at one-third of a ZeV (i.e., zetta electron volt, the prefix "zetta" indicating a billion trillion). In layman's terms that means that the particle, likely a humble proton, was traveling so close to the speed of light that, thanks to the Special Theory of Relativity, it had the kinetic energy of a well-pitched baseball packed into its sub-microscopic volume—a lethal, tissue-destroying superbullet. Such extraordinary particles are presumably rare; but we don't really know, and our current theories cannot account for them. Even less energetic cosmic rays, which we know to be plentiful, could wreak terrible destruction on human tissue over the periods—two years and up—needed for a Mars mission, and we have no way to protect spacefarers from their effects.

Research into these survivability issues is critical to the accomplishment of the president's Vision program. Funding for that research comes under the "Microgravity Life and Physical Sciences" section of the NASA science budget . . . which the February proposal slashed by 69 percent. Apparently pure science must yield to the lumbering, murderous Shuttle, the pointless Station, and the dubious Vision, even when relevant to them. Our nation's space program is seriously out of balance. **NR**

■ **THE MIDDLE EAST**

Target: Hezbollah

It may well make sense for Israel, and for an endangered world

DAVID PRYCE-JONES

IRAN, as its president Mahmoud Ahmadinejad said in his recent letter to George W. Bush, is hearing the sounds of "the shattering and fall of the ideology and thoughts of the liberal democratic systems." That is a general threat to the international order. With astonishing and obsessive regularity, Ahmadinejad rehearses a particular promise to wipe out Israel. According to most experts, Iran will complete its nuclear program within a period of one to three years, four at most. The regime asserts that this program is solely for peaceful purposes, but it is flagrantly breaking the nuclear-nonproliferation rules. Suspicion and fear of its intentions are further justified by the terror and deceit it has practiced since 1979, the year of Iran's Islamic revolution.

A Third World pre-industrialized country, Iran should in reality be a regional power at best, but evidently Ahmadinejad sees himself mobilizing Muslims everywhere—not just fellow Shiites, but Sunnis as well—for a clash of civilizations that he is sure to win, with God on his side. His belligerence appears to be actively inviting attack from liberal democracies—and first of all Israel—because this will certify his Islamism. The irrational element in the credo is what links him and the ruling ayatollahs to Hitler and Stalin, secular though those two were.

One possible response is to wait and see what happens next, as the Western democracies by and large did in the 1930s. Now as then, fatalism settles in, dictating that Iran will soon go nuclear and nothing can be done about it. The recent British foreign minister, Jack Straw, for instance, gave his hand away when he went on record to say that any use of force would be "inconceivable." To give an impression of activity, fatalist politicians and commentators advocate "engagement," a euphemism for keeping up appearances while doing as little as possible. Time and again Tehran enters a process of talks, only in order to stall and pursue its program regardless. But according to the fatalists, the ayatollahs aren't really irrational or ideological: They will prove responsible once they have in their hands this accretion of power; Mutual Assured Destruction will surely curtail their messianic mission, as it did the Kremlin's.

President Bush's doctrine of preemption offers the obvious alternative that the day is coming when the Iranian nuclear program will have to be taken out by whatever means are available. But the fatalists quickly counter that any use of force will hurt us as much as them. Muslim rage and nationalist backlash will make the clash of civilizations a fact of life. Terrorism will become unstoppable, and who knows what nasty surprises may be in store? The Iranians will close the Strait of Hormuz, and interrupt oil supplies with incalculable consequences.

Caught in the cross-currents of fear and wishful thinking, Tehran, Washington, and London seem to be creating almost ideal conditions for misunderstandings and miscalculations.

The Cold War offers the successful precedent of containment, a compromise between surrender and force, one of those much-vaunted Third Ways. This involves the usual gamut of measures available for treating rogue states: sanctions, boycotts, exclusion from the World Cup, motions in the Security Council, and whatever else diplomats and lawyers can devise. Given its increasing resentment over the outcome of the Cold War, Russia has broken ranks, selling Iran advanced missile weaponry; and some 2,500 Russian technical experts are at work on the nuclear program. Also unfortunately, the U.N. commission whose purpose is nuclear disarmament has just negated itself by electing an Iranian member. Nevertheless, the majority of Iranian clerics are corrupt,

Mr. Pryce-Jones is an NR senior editor. His latest book is *Betrayal: France, the Arabs, and the Jews*, forthcoming from Encounter.

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and a substantial part of the population is wholly contemptuous of them and the barbaric society they have put in place. Conceivably, a more unanimous international pressure could intensify internal dissatisfaction to a degree that the regime might not be able to repress, ruthlessly totalitarian though it is. In which case, the regime might dissolve as once the Soviets did.

Facts on the ground, however, are likely soon to be overtaking fatalists and containment-hopefuls alike. For years Iran has been building a position of strength in Lebanon by recruiting, arming, and financing Hezbollah, in effect colonizing the country by stealth. Under the command of Iranian clerics, Hezbollah is at once a militia of about 8,000 gunmen, a political party, and a state within the state. Unlike other Lebanese militias, it refuses to disarm. Its arsenal includes some 10,000 Katyusha rockets capable of doing damage deep into Israel. Unless or until Iran develops the nuclear bomb and the means to deliver it, Hezbollah remains its one immediately effective weapon against Israel. Senior Iranians stir the pot with announcements that, should the United States "make any mischief" in Iran, "the first place we will target will be Israel."

Real mischief is currently building in the Gaza Strip and the West Bank. The Islamists of Hamas won the recent election, but the secular nationalists of Fatah are unwilling to concede that they lost it. Nominally the Palestinian president but more essentially leader of Fatah, Mahmoud Abbas is refusing to allow Hamas control of the security forces. The Hamas foreign minister is accusing Abbas of "paralyzing" the government. In this standoff, and in the absence of either law or order, the two sides have begun to shoot it out. "The anarchy in the Gaza Strip will lead to a civil war," the foreign ministers of Egypt, Jordan, and Saudi Arabia declared at a meeting in Cairo. They know what they are saying.

And so does the Hezbollah leader, Sheikh Hassan Nasrallah, a black-turbaned cleric who alternates in the usual Iranian Islamist style between anger and self-pity. He chose the same moment to break out of the conspiratorial secrecy in which Hezbollah operates and admit that it is giving "financial, political, and military support" to Palestinian organizations, namely Hamas and Islamic Jihad.

In November last year, Hezbollah launched a heavy attack along the entire Lebanese border with Israel while attempting to abduct Israeli soldiers. Once retired, Israeli generals and intelligence chiefs are free to speak their mind, and a number of such personalities have been warning about the rising danger from Hezbollah. Last year, one former intelligence chief says, as many as 4,000 would-be terrorists were thwarted; and another foresees a "tsunami" of terror this year. At some point, such a level of violence breaks its bounds and becomes a threat to national life.

So long as the Palestinians engage in a power struggle between themselves, Israel can afford to be a bystander and possible beneficiary. But outside interference of any kind is a very different matter. Iran has found a way to make mischief through its satellites and proxies in Iraq, while piously disclaiming responsibility. Through Hezbollah, it is poised to use the same tactic against Israel.

It is notoriously unwise to make predictions, especially concerning the Middle East in its current instability, but it seems all too probable that Iran will find it irresistible to up the stakes by this trick of using proxies, and in that case dare the Israelis to attack. Iran needs to push Israel to extremes if it is to claim ideological justification for dropping the nuclear bomb someday in the near future in final retaliation.

Israel has to weigh which is the worse choice: either fatalistically to do nothing in the face of ever-mounting provocation, or to accept the challenge and respond to it with enough strength to knock Hezbollah out of the ring in southern Lebanon. An invasion would in effect restore the occupied zone carved out after the 1982 campaign to destroy Fatah, and show that evacuation of the area in 2000 had been a mistake. Walid Jumblatt is one of the wiliest of Lebanese politicians, and when he says that Hezbollah should disarm now, and goes on to ask why Lebanon alone should be an arena for Arab–Israeli conflict, he may well be reading the omens correctly.

Israel has never been inclined to participate in its own extinction. The elimination from the equation of Hezbollah and those 10,000 Katyusha rockets would relieve a present danger, and serve to contain Iran by proving the limits of its reach; and it might also extend the strange Phony War through which the world is now living until such time as the Iranians are able to save themselves from their doom-laden regime. **NR**

RAMZI HAIDAR/AFP

Sheikh Hassan Nasrallah

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Scare of the Century

The alarms and assertions about global warming have gone reprehensibly too far

JASON LEE STEORTS

But what, oh what, would the earth do without *Time* magazine?

"Suddenly and unexpectedly," *Time* announced in a recent issue, "the crisis is upon us." Haven't noticed the crisis? You must not be looking very hard. "The climate is crashing, and global warming [what else?] is to blame." *Time* accordingly devoted a special report to saving Mother Gaia. The report is half anti-Republican polemic, half catalogue of global warming's supposed ills—and none receives greater emphasis than the melting of polar ice. We see a photograph of a polar bear, standing all by his lonesome at the water's edge, and are told that the poor fellow might drown because "polar ice caps are melting faster than ever." Later, we learn that "the journal *Science* published a study suggesting that by the end of the century, the world could be locked in to an eventual rise in sea levels of as much as 20 ft."

Science magazine has itself been prone to hysteria. The issue that *Time* mentions contains no fewer than eight studies and articles about the ice caps, and begins with a news story warning that "startling amounts of ice slipping into the sea have taken glaciologists by surprise; now they fear that this century's greenhouse emissions could be committing the world to a catastrophic sea-level rise." The policy implications of such reportage are clear, but in case you missed them, *Time* connects the dots: "Curbing global warming may be an order of magnitude harder than, say, eradicating smallpox or putting a man on the moon. But is it moral not to try?"

The answer is, yes, it may indeed be moral not to try. What is not moral is to distort the truth for political ends—which is precisely what has been done with the ice-caps story. Here's what you haven't read.

The world has two major ice sheets, one covering most of Greenland and the other covering most of Antarctica. While melting sea ice has captured its share of attention, it's the land sheets that matter. Sea ice is already in the water, so its melting doesn't raise ocean levels. But if land ice melts, the sea gets higher. *Time* wants you to be very worried about this: "By some estimates, the entire Greenland ice sheet would be enough to raise global sea levels 23 ft., swallowing up large parts of coastal Florida and most of Bangladesh. The Antarctic holds enough ice to raise sea levels more than 215 ft." Farewell, Dhaka, we shall miss thee.

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Or not. Those numbers sound impressive, but the chances of the ice caps' fully melting are about as high as the chances of *Time*'s giving you an honest story on global warming. The truth is that there's no solid evidence supporting the conclusion that we've locked the ice caps in to a melting trend. Let's look at Antarctica and Greenland in turn.

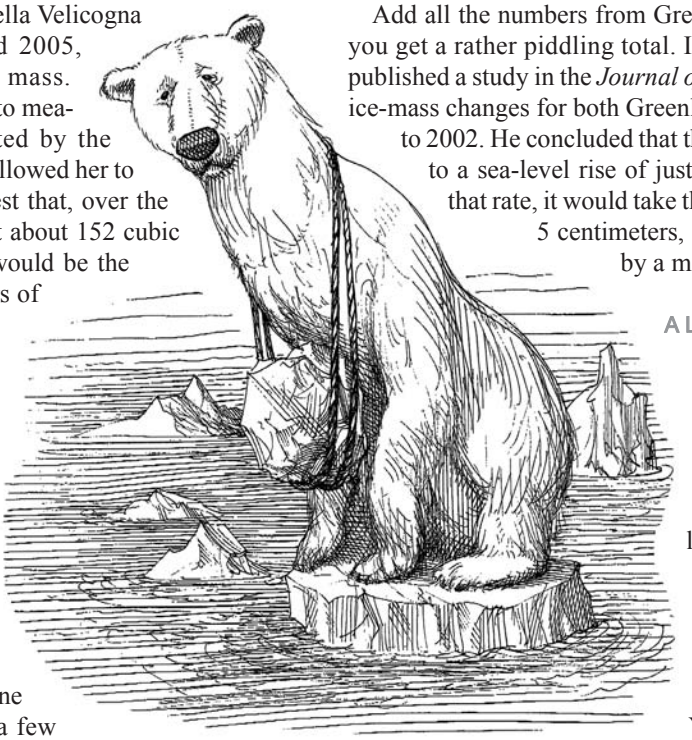
About Antarctica, University of Virginia climate scientist Patrick J. Michaels is direct: "What has happened is that Antarctica has been gaining ice." He explains that there has been a cooling trend over most of Antarctica for decades. At the same time, one tiny portion of the continent—the Antarctic Peninsula—has been warming, and its ice has been melting. The peninsula constitutes only about 2 percent of Antarctica's total area, but almost every study of melting Antarctic ice you've heard of focuses on it.

So what about the rest of the continent? In 2002, *Nature* published a study by Peter Doran that looked at Antarctic temperature trends from 1966 to 2000. What it found was that about two-thirds of Antarctica got colder over that period. At the same time, Antarctica has gotten snowier, and as the snow has accumulated the ice sheet has grown. Snowfall is probably rising because water temperatures around Antarctica have gotten slightly—repeat, slightly—warmer. As a result, there is more surface evaporation, making for higher humidity and more precipitation. Higher humidity also means more clouds, which might explain the cooler weather.

How much ice has Antarctica gained? In a 2005 study published in *Science*, Curt Davis used satellite measurements to calculate changes in the ice sheet's elevation, and found that it gained 45 billion tons of ice per year between 1992 and 2003. Far from flooding the coasts, that's enough to lower sea levels by roughly 0.12 millimeters annually.

This doesn't mean the trend of increasing Antarctic ice will continue forever. *Science* captured headlines in March when it published a study by Isabella Velicogna arguing that, between 2002 and 2005, Antarctica has been losing ice mass. Velicogna used a pair of satellites to measure the gravitational pull exerted by the Antarctic ice sheet, which in turn allowed her to calculate its mass. Her data suggest that, over the past three years, the sheet has lost about 152 cubic kilometers of ice per year. That would be the equivalent of about 0.4 millimeters of annual sea-level rise.

But three years do not a trend make. To begin with, such a short sampling period is a blip in the slow rhythms of climate change. Moreover, 2002—the year in which the study began—was a high-water mark for Antarctic ice, so it's not too surprising to see some decline since then. Alarmism over Velicogna's study is on the order of going to the beach at high tide, drawing a line at the water's edge, and fretting a few hours later that the oceans are drying up.



ROMAN GENN

And Greenland? Various studies show that warmer temperatures are causing the ice sheet there to lose mass at the margins. But, as in Antarctica, higher sea temperatures are also causing greater snowfall and building up ice in the interior. As Richard Lindzen of MIT observes, "If you're just going to look at what's falling off the sides and ignore what's collecting on top, that's not exactly kosher." The question is whether the net change is positive or negative.

Earlier this year, Eric Rignot and Pannir Kanagaratnam published a study in *Science* that used satellite measurements to calculate ice loss around Greenland's coasts. They also used models to determine how much ice was vanishing from surface melt, and how much was accumulating from greater snowfall. Adding it all up, they got a decade of deficits: 91 cubic kilometers of ice lost in 1996, rising to 224 cubic kilometers in 2005. That translates to a sea-level rise of 0.23 millimeters in 1996 and 0.57 millimeters in 2005.

But, as the web publication CO2 Science has pointed out, their model-based estimate of the ice gain in Greenland's interior was implausibly small. In fact, *Science* had earlier published a study by Ola Johannessen that used satellite measurements to determine how much the ice sheet was growing. Johannessen found that, between 1992 and 2003, it was gaining on average 5.4 centimeters of elevation per year.

That may not sound like a lot, but it adds up. Michaels, the University of Virginia professor, calculates that it amounts to about 74 cubic kilometers of ice per year. Rignot and Kanagaratnam could have subtracted that number from their estimate of coastal ice loss, which would have given them a negative total only for the past five years: 17 cubic kilometers lost in 2000, rising to 92 cubic kilometers in 2005. That would be equivalent to only 0.04 millimeters of sea-level rise in 2000 and 0.23 millimeters in 2005.

Add all the numbers from Greenland and Antarctica up, and you get a rather piddling total. In 2005, Jay Zwally of NASA published a study in the *Journal of Glaciology* that looked at the ice-mass changes for both Greenland and Antarctica from 1992 to 2002. He concluded that the total ice loss was equivalent to a sea-level rise of just 0.05 millimeters per year. At that rate, it would take the oceans a millennium to gain 5 centimeters, and a full 20,000 years to rise by a meter. To the hills, anyone?

A LONGSTANDING PATTERN

Granted, the Zwally study doesn't include the last three years—years in which, according to some measurements, Antarctica has switched from gaining ice to losing it, and Greenland's rate of loss has accelerated. But you don't need to invoke man-made global warming to explain what's going on.

Consider Greenland again. Yes, temperatures there are

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warmer than they were a decade ago. But many climate scientists think this is the result of a phenomenon called the Atlantic Multidecadal Oscillation (AMO)—a pattern of slow, repeating changes in the ocean's surface temperatures. The AMO affects both the Atlantic tropics and the regions farther north. When the AMO is in its positive phase, temperatures rise in both places—which should cause more Caribbean hurricanes, and increase the speed at which Greenland's glaciers discharge into the sea. This appears to be just what is happening. "The AMO changed from negative to positive in 1995," Michaels wrote on Tech Central Station. "Since then hurricanes have become very active and glacier output has been accelerating." Is this man's fault? Models suggest that the AMO has been going on for at least 1,400 years. Maybe things would have turned out differently had Charlemagne signed the Kyoto Protocol, but the odds are against it.

In fact, we have temperature records indicating that Greenland was as warm as it is today during the first half of the 20th century. From 1920 to 1930, Greenland saw significant warming, and temperatures stayed high through the '40s. A team of scientists led by Petr Chylek looked at Greenland's temperature record in a study forthcoming from *Geophysical Research Letters*. They write that the increase in Greenland's temperature between 1920 and 1930 was "of a similar magnitude" to the increase between 1995 and 2005. But the earlier warming happened faster: "The rate of warming in 1920–1930 was about 50% higher." 2003 was a hot year, but "the years 2004 and 2005 were closer to normal[,] being well below temperatures reached in [the] 1930s and 1940s." Moreover, "although . . . 1995–2005 was relatively warm, almost all decades within 1915 to 1965 were even warmer."

If today's temperatures are causing Greenland's coastal ice to slide into the sea, it must have been positively galloping there 80 years ago. That's significant, because the warming period in the early 20th century took place well before fossil-fuel burning could have triggered global warming. So we can't say with any confidence that what we're seeing in Greenland today is our fault. Chylek's team concludes its study with the observation, "We find no evidence to support the claims that the Greenland ice sheet is melting due to increased temperature caused by increased atmospheric concentration of carbon dioxide."

As with Greenland, so with the world. There is no consensus that human activity is the main cause of climate change. Reluctant though one is to question *Time*'s authority in matters scientific, it's simply wrong when it declares: "In the past five years or so, the serious debate has quietly ended. Global warming, even most skeptics have concluded, is the real deal, and human activity has been causing it."

What we know is that the global average temperature has risen by about 1 degree Celsius or less since the late 1800s. We also know that industrial activity has raised atmospheric carbon-dioxide concentrations, and that this increase should make things warmer. But there is wide disagreement about the extent to which carbon-dioxide emissions are responsible for the warming we've seen so far, and how much warming they will cause in the future.

Fred Singer of George Mason University points out that "we have historic [temperature] records in Europe going back a thousand years. It was much warmer then than today. The Arctic was much warmer a thousand years ago than it is today. Polar bears survived. The ice caps survived." And data from ice cores suggest that previous interglacial periods were warmer than the one we're going through now.

Moreover, the models scientists use to predict the effects of carbon-dioxide emissions are biased to overpredict global warming. They assume that atmospheric concentrations of CO2 will increase by about 1 percent a year. In fact, this is more than twice the observed rate. In the last ten years, the average increase was 0.49 percent; in the decade before that, it was 0.42 percent; and in the decade before that, it was 0.43 percent. But scientists keep feeding the models 1 percent. That's more than a 100 percent margin of error. Three cheers for precision.

If today's temperatures are causing Greenland's coastal ice to slide into the sea, it must have been positively galloping there 80 years ago.

It's not surprising, then, that actual warming in recent years has been lower than the models say it should have been. By creating a false sense of alarm, the models make the ice-cap debate much shriller than it should be. For example, the authors of the *Science* study that *Time* refers to were able to predict a sea-level rise of several meters only because they took as Gospel the 1 percent–per–year CO2 increase. That gave them a tripling of atmospheric CO2 by 2100 and a quadrupling by 2130. But as Michaels points out, observed data suggest this quadrupling won't happen till 2269. "By then," he writes, "energy-production technology will probably have turned over two or three times and this will never have become an issue."

THE WORSE THE BETTER

Why are scientists using the wrong numbers? Richard Lindzen of MIT thinks that, while most scientists were originally agnostic on the question whether human activity was causing global warming, "environmentalists and the media would exaggerate." That eventually built up a public concern, and politicians responded by throwing research dollars at scientists. If global warming turned out not to be a problem, those dollars would go away. Better to keep us worried: "You've developed a scientific community that will do whatever it needs to do to

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make sure the answer isn't obtained. Why should taxpayers pay for people not to find an answer?"

Lindzen doesn't mean that there is a conspiracy among scientists, but rather that the funding process gives an incentive toward pessimism. If you have doubts about this, consider how frequently climate scientists tell us that things are worse than we thought. If a scientific study isn't biased in such a way as to look for an alarming outcome, the odds that its findings will be better than expected are equal to the odds that they will be worse than expected. In other words, it's a coin toss; an unbiased research process should produce better-than-expected results and worse-than-expected results in roughly equal proportion. Michaels got interested in this notion. He looked at a single day last December when 15 findings on global warming were released to the press. Fourteen fell into the worse-than-expected category. But if none of the studies that produced the findings was biased, the odds of getting a 14-to-1 ratio are less than 1 in 2,000.

Of course, even if man-made global warming is the primary cause of the mild temperature and sea-level rises being observed, this doesn't settle the question of what to do about it. The environmental lobby's answer is: Ratify the Kyoto Protocol. *Time* isn't even subtle about it, calling George W. Bush's environmental record "dismal" and specifically citing his abandonment of Kyoto. But he abandoned it for good reason. The U.S. Energy Information Administration estimates that the treaty would cost the American economy $300 billion to $400 billion a year. Any decision about whether to pay such a price should be based on cost-benefit analysis. What, then, is the benefit?

In a word, nothing. Kyoto wouldn't stop whatever warming is caused by greenhouse-gas emissions; it would just slow it. And it would barely do that. Tom Wigley of the National Center for Atmospheric Research calculated that the full global implementation of Kyoto would prevent 0.07 degrees Celsius of global warming by 2050, an outcome that is all but undetectable. To put a dent in CO2 levels, you'd need much greater emissions reductions than Kyoto calls for. Jerry Mahlman of the National Center for Atmospheric Research, for example, has called Kyoto a "first step" and said that "30 Kyotos might do the job."

Thirty Kyotos would also come at the price of economic collapse. When it's not even clear that the warming we've seen is hurting us—many argue that it's a boon, citing its benefits to agriculture and its potential to make severe climates more hospitable—such draconian solutions should be unthinkable. And if it turns out that carbon dioxide *is* hurting the planet, it's probably doing so at such a gradual pace that the best solution is to wait for markets to produce new innovations in energy technology. (And are we finally far enough away from Three Mile Island to utter the word "nuclear"?)

In the meantime, let's stick with what we know—about melting ice, and about global warming generally. We're not sure that we have a problem. If we do, we don't know that we're the ones causing it. But *Time*, Al Gore, the Democratic party, the EU, politically correct scientists, and the entire green lobby want us to throw enormous sums of money at solutions that won't work anyhow.

Good plan, guys. **NR**

■ **PUBLIC POLICY**

The New Immigration Politics

Wherein, for example, the rich and the poor join hands

VICTOR DAVIS HANSON

THE debate over illegal immigration seems to have grown hackneyed. The same old controversies are rehashed—do illegal aliens contribute more or less than the entitlements they receive? Do they assimilate as fast as previous groups? Is the present mess any different from past waves of foreign immigration? And so on.

Facts, usually lacking or compiled by partisans, are twisted to score points, as the issue of who benefits has replaced the sanctity of law. Various bodies of experts, none of whom know how many illegal aliens are residing inside our borders, offer mutually exclusive testimonies. In exasperation at the lack of reliable data, the argument often devolves into personal anecdote—"Juan is the most hard-working and reliable roofer I've ever hired," or, in contrast, "This is the second time an unlicensed driver without insurance or registration has rammed me and tried to flee the scene."

And yet, the illegal-immigration controversy is not static, as a number of new considerations have recently surfaced to reenergize the debate. One key development is that class and regional fault lines, rather than racial and political differences, have come to define the issue. Views about illegal immigration have become mostly a divide between, on one hand, the poor and the wealthy in most of the United States, and, on the other, the middle class of the American Southwest. Those who have enough money not to worry about taxes and those who receive entitlements combine against beleaguered middle-class voters—who feel squeezed by ever more taxes and yet receive little government help for their children's college tuition or their own health care.

Similarly, those affluent enough to hire nannies, landscapers, and pool sweepers, and who frequently go out to eat and use hotels, are not bothered by the fact that their service help is here illegally. In contrast, carpenters and janitors, who have little opportunity for travel and entertainment and do their own chores at home, bitterly resent cheap alternative labor that is not subject

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to the same rules as American workers. Upscale suburbanites who see illegal aliens as hard-working servants from 8 to 5 rarely live near them or their children—and so are less aware how poor schools, the lack of English, poverty, gangs, illegality, and crowded housing change the landscape of formerly middle-class neighborhoods in cities like Fresno, San Jose, or Bakersfield. Entire towns in California's San Joaquin Valley—e.g., a Malaga or Parlier—are de facto apartheid communities, whose illegal aliens often commute to work in construction, landscaping, and service industries to an upscale north Fresno that spills into the Sierra Nevada Mountains. Most who are served have never set foot in the poor towns of their help a few miles away, and have little interest in whether English is spoken or the municipal coffers are perennially empty.

THE CLASS GAP

Politically, the result is that the U.S. Senate in bipartisan fashion tends to be more lax on the issue than the more populist House. The open-borders *Wall Street Journal* often lines up on the same side of the issue as the National Council of La Raza—in dire opposition to prairie-fire talk-show hosts, bloggers, and cable-news anchormen who tap into the growing backlash of the proverbial man on the street.

This widening class divide skews party politics. Boutique multiculturalism of the Left collides with bread-and-butter concerns of old-style blue-collar Democratic households. African Americans, many of whom compete for low-wage jobs and may not often hire Hispanic nannies and gardeners or have the capital to demonstrate noblesse oblige, gravitate more toward the position of Rep. Tom Tancredo than that of a Sen. Barbara Boxer.

On the GOP side, suburban neoconservatives grate at fed-up traditionalists who bluntly demand deportation and a wall. Upscale Republicans can't quite figure out whether their libertarian open-borders philosophy will lose more of their conservative base than it might gain in new Hispanic voters. In the same way, Democrats are worried that non-Hispanic minorities and ethnics are repelled by fiery constituent La Razistas who chant "*¡Sí, se puede!*" And what will liberals do about affirmative-action mandates, when confronted with possible naturalization of more than 10 million aliens—who fit the targeted Hispanic profile, but not the canard that they are deserving of special treatment because of decades of historic and endemic discrimination inside the U.S.?

The recent massive public demonstrations of illegal aliens have also complicated things. The first round of protests—ubiquitous Mexican flags, ethnic placards, and racialist sloganeering—turned millions of Americans off, especially those outside the American Southwest who had little firsthand experience of the decades of controversy over bilingualism in schools, drivers' licenses for illegal aliens, the stridency of Chicano Studies departments, and Reconquista romance. In response to the backlash, the organizers of the second series of such protests changed tactics somewhat, as protesters waved as many American as Mexican flags, along with placards demanding amnesty and citizenship.

But this new tact raised as many problems as it solved. Had the illegal-alien strategic planners unwittingly boxed themselves into a corner? When they attempted to stress their love of America by flying Old Glory and bearing signs asking for citizenship, many Americans perhaps were willing to take them at their newfound word for unity rather than separatism. In theory, this would mean that, in exchange for an end to illegal immigration through strict border enforcement and tough employer sanctions, many here illegally might be allowed to stay to start their citizenship process. But citizenship also demands Americanization—and the melting pot spells an end to bilingual government documents and the mythology of a growing separatist Hispanic culture. Would our May Day protesters really accept that there would no longer be a perpetual pool each year of 1–2 million illegal aliens—unassimilated, without English, and full of romance about Mexico—to provide fresh constituents for La Causa?

After all, avenues for earned citizenship, coupled with the end of open borders and the absence of a guest-worker program, would cut off the continual supply of the newly aggrieved. With rapid assimilation, the need soon would end for Hispanic political caucuses and government Spanish-language interpreters.

RADICALISM COMES NORTH

Another important recent development is growing concern over the Latin American powder keg. After the example of what India and China have achieved by adopting free markets, it seems highly unreasonable for Latin American democracies to return to the bankrupt statist policies of the past. But oil and natural gas at today's astronomical prices can subsidize a great deal of failure, well beyond Bolivia and Venezuela. Furthermore, it is often furor, not reason, that guides popular politics. The problem is not that South Americans in general are worse off than 30 years ago, but that some in their midst have become very much better off—and that such newfound and highly visible affluence has not been shared by all.

The ascendance of Hugo Chávez in Venezuela and Evo Morales in Bolivia has revived the romance of creating an anti-*yanqui* bloc of revolutionaries who nationalize foreign companies, gratuitously goad the energy-hungry U.S., and use petrodollar profits to subsidize an otherwise unworkable socialism. Fidel Castro and Daniel Ortega are no longer seen as has-beens of a failed Stalinist past, but are enlisted as recycled avatars of radical change. And strident presidential candidates like Ollanta Humala in Peru and López Obrador of Mexico sound even more radical in their denunciations of the U.S. and dreams of creating a neo-Communist alternative to Western-style capitalism.

In this context, millions of observers of the May Day marches found it unsettling to see that—despite the efforts to Americanize the protests—hundreds of thousands of illegal aliens from Mexico and Latin America were shouting about future targeted boycotts and work stoppages, and were accompanied by fringe groups bearing pictures of Che Guevara. The illegal-alien sloganeering in the U.S. has long included a racialist element similar to that in the anger whipped up in indigenous people by Chávez and Morales.

Just as it makes no sense for Latin Americans to vote in these new Peronists who will undo all the political and economic liberalization of the recent past, so too it was paradoxical this spring for angry protesters in Los Angeles and Chicago to wave

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the flag of the country they seek to avoid and shun the flag of the nation in which they so desperately wish to remain. But that is precisely the point: Anger at "them"—that nebulous American bogeyman—is starting to override all else in the illegal-alien movement here as it does now in general south of the border.

THE ROAD AHEAD

So where do all these developments leave us? Two issues must rise to the fore: border enforcement and assimilation. Before tackling issues like amnesty and guest workers, first simply close the border now to stop the influx. That way we can define the problem now as one of 11 million illegal aliens, rather than later of 15 to 20 million after a long, drawn-out debate.

Then comes assimilation, to which all policies must be subordinated. The key is to divorce the present expatriate Mexican community from their spiritual kindred in Mexico by ensuring that they are the last generation of illegal aliens. Prior amnesties failed because we kept the border open and allowed employers to cheat on enforcement. But if no more can cross our borders unlawfully, and we can insist on strict criteria for citizenship—a clean criminal record, English-language instruction, and so on—then within a decade our shadow population of monolingual Mexican aliens will vanish.

Accordingly, a guest-worker program for Mexicans makes little sense. It would only replenish the supply of perpetually aggrieved second-class citizens who fuel political separatism and radicalism—while lowering domestic wages of the very group of new citizens we are trying to help. More important, the billions of dollars in remittances sent by illegal aliens in the U.S. to Mexico and Latin America are like oil: They only prop up current failed policies. Those who warn that, without remittances, governments to the south would be in dire trouble have it wrong. There might be trouble in the short term, but dire trouble alone will provide the impetus for change.

An end to massive remittances will have two other positive results. First, the newly legal immigrants can begin to save their money to secure things like health insurance and suitable housing—instead of sending nearly half their wages across the border as they live in substandard conditions in the U.S. and look to entitlements to achieve a semblance of parity with native-born Americans. And second, it will give the rhetoric of Chávez, Morales, and López Obrador a chance to have real consequences—as Hispanics can no longer as a birthright simply walk into the hated U.S. and then indulge in the romantic yearning for a distant mother country that they no longer have to endure. Quite soon, as in the case of Castro's Cuba, the anger of aggrieved citizens stuck back home might turn on their own utopians rather than on an Uncle Sam that they can no longer reach.

In short, the immigration debate is being turned upside down. Open borders are no longer seen as liberal, but as elitist and antithetical to the middle class, even as illegal aliens suddenly demand to be Americans (and may soon be asked to match word with deed). And while we thought cheap labor from Mexico, with its attendant social and political problems, was an exclusively American worry, we are starting to see instead that the U.S. is playing with an explosive mixture that may soon engulf much of the Americas. **NR**

■ **CULTURE WATCH**

Approval Hell

Americans are an accepting people, to a fault

FLORENCE KING

HAVE you noticed that Americans no longer use the word *shocked* except when imitating the Claude Rains character in *Casablanca*?

His signature line is a favorite of media pundits who like to show off their knowledge of how Washington really works: "He was shocked, shocked to find bribery and influence-peddling!" Even though the Rains character was a suave sophisticate and thoroughgoing cynic, his line is used regularly in group discussions when one commentator wants to make another look naive, e.g., "I see you are shocked, shocked to learn that the FBI lied."

The line has become our national catchphrase, our water-cooler jibe of record, but it wasn't always so. *Casablanca* came out in 1942 but the line lay dormant until cable television came along and began showing old movies on a regular basis in the 1970s, when, as it happened, we acquired a great many things to be shocked about. We could not say so, however; the moment anyone said "I am shocked," somebody would interrupt with "I am shocked, shocked." If you said it on television, the studio audience was liable to titter and return a whispery wave of "shocked, shocked."

Being shocked soon died a natural death. The spirit of the times would tolerate only broadminded, compassionate condemnation, so we had to come up with an acceptable expression for it. We settled on "troubled" and "concerned," which soon oozed into "troubled 'n' concerned," and remembered to toss in "tough love" when it would fit. These sufficed for a while, but as time went on and the cultural scene coarsened we needed something stronger, stricter, something almost . . . well, impatient.

We found it, and it quickly took over the tube. Turn on any talk show and you are sure to hear it thunder forth in all its vituperative glory: "inappropriate behavior." The beauty of this one is that it is syllabically constructed to lead naturally into a spinsterish little sniff, making it ideal for Alan Colmes, and its prunishness allows our lips to set in an expression of serene disapproval before anyone has time to suspect that we might be more shocked than we appear.

Now we need something stronger than "inappropriate behavior," but we have nothing to put in its place because disapproval of any kind is now seen as proof of an intent to interfere with the offending party's civil rights. We are approaching the idea, as yet unborn but implanted in our collective subconscious, that coming out against anybody for any reason can, if debated long enough, be made to seem unconstitutional.

Florence King's NATIONAL REVIEW columns are collected in *STET, Damnit!: The Misanthrope's Corner, 1991 to 2002.*

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The Constitution has nothing to do with it unless you wish to count the freedom of speech that started us down this road. Laws per se are a side issue; we are increasingly being governed by the television talk show, an electronic juris without prudence wherein debate itself is all that is necessary to effect any desired change: "I talk about it; therefore, it's coming."

A MADE-FOR-TV MOMENT

One of the coming attractions is already here. Three years ago when sodomy laws were struck down, polygamists began to stir, arguing that the right of sexual privacy just won by homosexuals extended to themselves. But linking polygamy to homosexuality did not sit well with anyone, including gays, and the "consenting adults" argument did not catch on.

Now, however, polygamists have hitched their wagon to a star—or rather, some western sheriffs and prosecutors have ever so kindly done it for them. Aware that pedophilia is the most emotion-fraught topic in America, the lawmen announced that they are going after Warren Jeffs and other renegade patriarchs, not for polygamy per se but for child molestation, based on their history of taking minor girls to wife.

Talk about your made-for-TV moment. In one grand, self-defeating move the lawmen have created what was lacking before: Good Polygamists and Bad Polygamists. Americans will accept the distinction without question because so many TV sound stages contain two sofas facing each other, and there are two sections to Larry King's table. Anyone with lingering doubts will be brought round by that verbal holy water that we always sprinkle over such gatherings: *The Vast Majority of* . . .

"The vast majority of polygamists," the host will intone, "live quietly, pay their taxes, contribute to their community, and . . . practice family values." That will draw a laugh at first, but once moderators get used to saying it without gulping the whole country will go along and be duly impressed, because *the Vast Majority of* is a hypnotic phrase. Americans are comfortable with majorities, the very word makes us feel secure; *ergo*, as Descartes used to say, if there are enough Good Polygamists to have a majority, they can't be too bad.

Once the Bad Polygamists are locked up, we will reason, why shouldn't the Good Polygamists enjoy full legal rights to go on living quietly, paying their taxes, contributing to the community, and practicing family values? After all, it's their *religion*. And besides, they're consenting adults . . .

THE NEXT STEP

The partial legalization of polygamy will bring out the incest lobby. Nobody knows how big it is or much of anything else about it, but we can be fairly certain how they will flack their cause. People with repugnant agendas are necessarily partial to the *tu quoque* argument, so stand by for the sentence, *It's Already Happening*.

They mean the yours-mine-ours makeup of today's divorce-

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prone families. Leaving teenage step-siblings and half-siblings alone in a house while both parents are out chasing the American Dream could turn into a sexual nightmare and doubtless has. Then there are the growing numbers of individuals being conceived in something other than the good old-fashioned way. It's possible that someday the progeny of artificial inseminations, test tubes, petri dishes, and surrogacy could meet and mate without knowing that they are consanguineous. Enter the embryonic makings of the "We're all guilty" argument.

The Big Bro pleaders will try to force the enemies of incest into a politically incorrect corner. This is easy to do, guaranteed to happen the first time one of them charges that incest causes "birth defects." There are no defective children now; they are *differently abled*, *cerebrally challenged*, they have *special needs*, and if you dare say otherwise their mothers will kneecap you. So will the governor of West Virginia.

Getting incestuous couples to appear on TV will be hard to do (at least at first), so the Big Bros will use examples from the past to show how well things can turn out. The most obvious examples are Victoria and Albert. True, they were only first cousins, but you have to crawl before you can walk over hot coals. The incest lobby will sing the praises of their deliriously happy marriage. They will point out that the eldest child, the Princess Royal Victoria, inherited Albert's extremely high intelligence. That the second child, Edward, Prince of Wales, though no scholar, was a natural-born diplomat and people-person who, as Edward VII, could have schmoozed Europe out of World War I had he lived a few years longer. That the other seven children were all sane and healthy. True, Prince Leopold died young from hemophilia, but that came through the maternal line alone and had nothing to do with whom Victoria married. And last but not least, that the youngest, Princess Beatrice, lived until 1944, dying at the ripe old age of 87, far exceeding the life expectancy of someone born in 1857.

Catchphrase-maker Claude Rains in Casablanca

On it goes. When they bring in the Egyptologists to hold forth on brother-sister marriages among the pharaohs, the History Channel gives up and goes out of business.

Next we will be treated to a discussion of incest complexes by Neo-Freudians, Third-Wave Freudians, and aging Second-Wave feminists who jump at the chance to go on TV and attack him all over again, just as they did back in the Seventies. This debate is memorable for what happened to a distinguished psychoanalyst who took part: His screen ID had him as "Eddie P. Rex," compliments of the same people who give us the spelling howlers on the crawl.

By now no American in his right mind would utter a word about birth defects, not even in politically correct language, but a morbid fascination with deformities remains, spiking whenever one of the movie channels airs *Hawaii*. The incest lobby interprets this as a need for more "education," and suddenly, anyone who has anything good to say about consanguinity—never mind whose—becomes television's idea of a first-class "get." Pressured by the Bros, producers fill up their shows with horse-breeding experts from all over the English-speaking world; gnomelike, bowlegged men and leathery women all saying, like Mrs. Tarleton in *Gone With the Wind*, "You can breed a mare to a brother or a sire to a daughter and get good results if you know your blood strains."

Listening to horsey people talk about the only subject they ever talk about does us in. By now the entire country is in a propaganda coma. Deciding that the time is ripe for the big push, the Bros persuade a pharaoh wannabe to tell his story on an audience-participation daytime show. "Wanting to marry my sister is part of who I am," he bleats, and the mostly female audience nods in sympathy. By the time he finishes some of them are in tears, and in the question period one of them kicks off with, "I respect your right to love your sister . . ."

'A LITTLE DISPLAY OF AFFECTION'

If you think I'm making *all* of this up, consider the following letter to the editor that appeared in *Entertainment Weekly* in response to their cover story, "Oh, Brother!"

> I simply cannot believe the attention Angelina Jolie's affection toward her brother is receiving. It is completely ridiculous and truly sad. It should not be considered "out of the ordinary" to care so much for someone who is tied to you by blood as well as by friendship. There are far more important things for reporters to write about than a little display of affection toward one's family. Get real.

Calling the behavior in question "out of the ordinary" is an understatement. On Oscar night, after announcing, "I'm so in love with my brother right now," Jolie locked lips with him in an obviously moist kiss that went on far, far too long. Like everyone I know who watched the film clip, I recoiled. When the celebrity press exploded with stories about it, Jolie's brother, James Haven Voight, issued a statement: "They [reporters] are going into a realm where it's something that's almost ugly, rather than something that can be beautiful. If that is unusual these days, that's sad."

Whatever is or is not going on between them, I am not worried that Jolie and James will popularize the brother-sister act among teens. The lurid Jolie is not their mother's Murphy Brown, nor Dan Quayle's either, but rather a Morticia look-alike in danger of becoming a laughingstock.

What does worry me is the disappearance of the "J'accuse" spirit from the American character. Our reluctance to disapprove and condemn, the insipid pride we take in our refusal to be "judgmental," our eagerness to fashion maudlin excuses and rationalizations for the behavior of people we don't even know, our bottomless capacity for suffering fools, and our history of never meeting a "right" we couldn't respect.

This country has gone to Approval Hell. If we don't get out of it, we are going to be shocked, shocked out of it. **NR**

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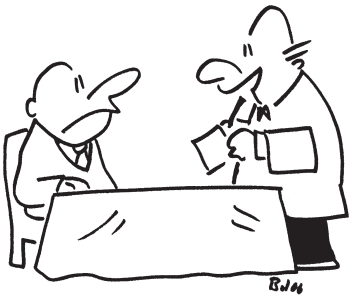
HELP!!!!

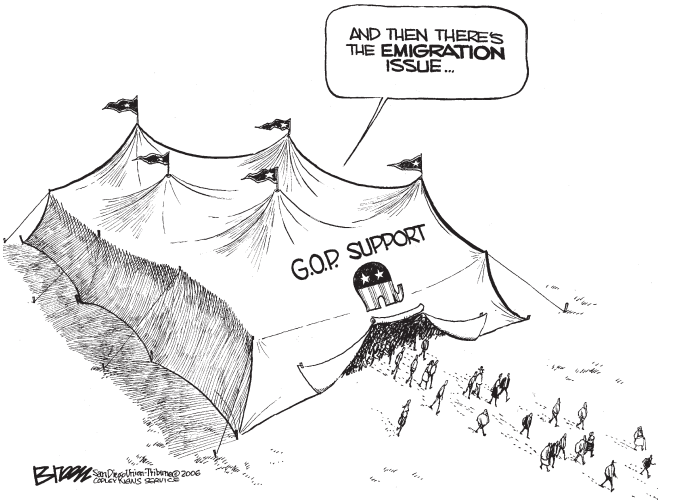
Putin, Alarmed

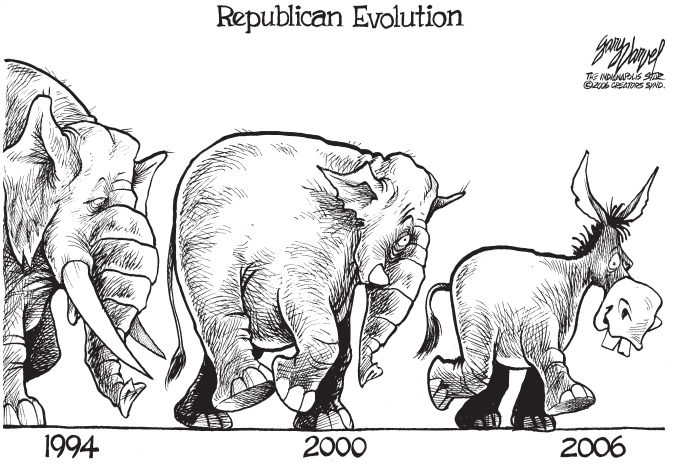
Birth rates in Russia plummet like
Sturgeon and caviar
As Vlad—ukases out of date—
Exhorts dad from afar
While importuning mother with
A cash reward for two;
But dad two-times on booze, and mom
Pretends to no worldview.

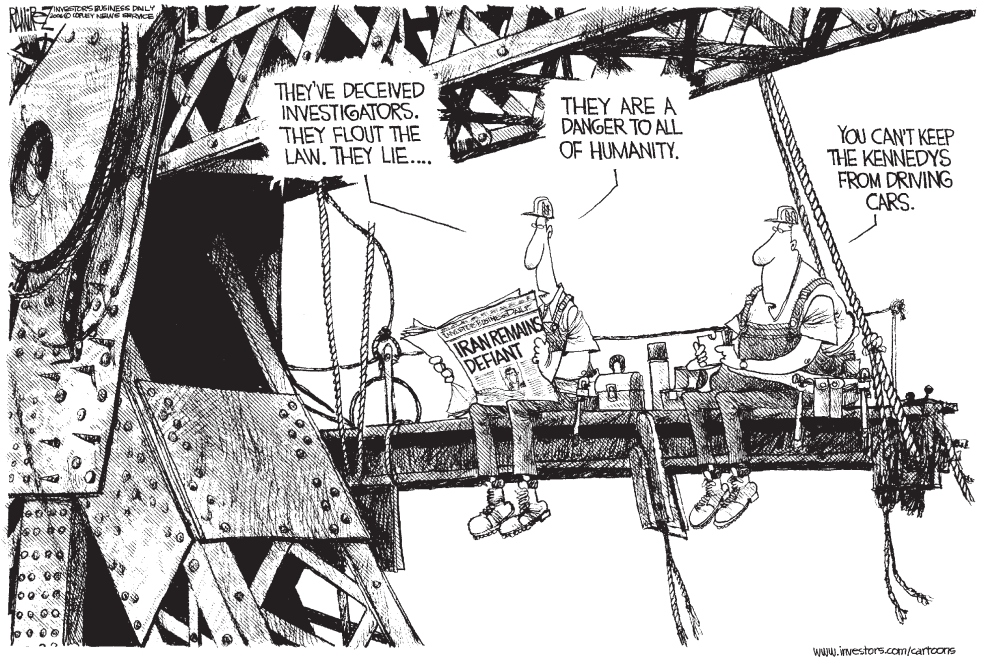
—W. H. von Dreele



"Do you want a glass for the wine,
or do you prefer to drink right out of the bottle?"



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THEY ARE A DANGER TO ALL OF HUMANITY.
YOU CAN'T KEEP THE KENNEDYS FROM DRIVING CARS.
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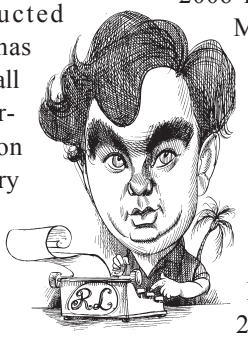
the long view

ROB LONG

TO: All newsroom staff
FROM: Management
RE: Summer 2006 Directives

As summer approaches, it's time to refresh and rethink our 2006 directives, and to point them more effectively in the direction of the 2006 midterm elections and the 2008 presidential cycle.

Many of you in the newsroom and the editorial staff grumble about the frequency of these directives, but Management has conducted exhaustive research, and has discovered that the sooner all of us in the news and journalism professions settle on Approved Themes, Ancillary Ledes, and Iconoclastic Poses, the more consistent our product is for the consumer.



Until further notice, these are the new directives:

While it is true that "Sen. John McCain Cannot Win the Republican Primary" is still an Operational Theme and should NOT be discarded, this theme has been subordinated under another Operational Theme, "The Republican Party Is Too Right Wing," which we discuss in Section 5. Please do not file stories and/or opine on television that "Sen. John McCain Cannot Win the Republican Primary" unless it is a supporting clause to any of the new Approved Themes. Management has detected a subtle backlash to this theme, and so has changed its status from Approved to Operational. Please update your macros. Note: Management is temporarily allowing "John McCain Will Run as an Independent" as an Iconoclastic Pose.

The new Approved Theme regarding Sen. John McCain is that "He Is Pandering to the Right Wing of the Republican Party." Please ensure that all subsequent stories and/or op-eds conform to this new Approved Theme. Suggested Ancillary Ledes are: how his sense of humor, once witty, has turned mean; how his manner, once charming, now seems forced and calculating; how his candor, once winning, now is revealed to be media-driven. Feel free to elaborate on any of those Ancillary Ledes, but note that this is THE ONLY Approved Theme regarding Senator McCain.

The new Approved Theme for the 2006 midterms is "Democrats Will Make Key Gains," in association with "Republicans Will Stay Home." As you know, Management hasn't had the best track record when it comes to Approved Themes for midterms and general elections. Our 2002 theme, "9/11 Helps Democrats," and our 2004 theme, "The Iraq War Dissent Helps Democrats," were less than prescient, but the key here is not to predict so much as to shape perception. As you know, our most loyal consumers prefer more soothing Approved Themes, such as our famous Approved Theme for the 2004 presidential cycle, "Kerry Taps Into Unease," and our Fast Break Theme for Election Day 2004, "Kerry Wins South Carolina." These themes, while not accurate in the technical sense, nevertheless served our most committed customers.

Possible Iconoclastic Pose: "Things Are Going Well in Iraq BECAUSE of Pressure From Democrats."

Sen. Hillary Clinton (D-N.Y.) is no longer "Controversial" or "Polarizing." Please remove these adjectives from your Hillary Clinton macros, and replace them with "Moderate" and "Judicious" or another adjective in the approved list. The current Approved Theme regarding Senator Clinton is that "She Is an Effective Legislator and Moving Her Party to the Center." Suggested Ancillary Ledes include anything to do with attacks on her from the Far Left (see last month's directive, Section 3, Iconoclastic Pose: "The Daily Kos Website Is a Spirited and Lively Incubator for Democratic Renewal") and the fear she engenders on the right. Please note that this is a tricky area, and that Approved Themes are constantly evolving.

Please also note that "Bill and Hillary: The Model of a Two-Career Power Couple Very Much in Love" is STILL an Approved Theme and has not been changed to a Holding, Transitional Theme. Management is still very interested in seeing more stories of this type.

Immigration is a hot topic these days, and Management has streamlined the debate by omitting the word "illegal" from the lexicon. Please update your macros and word-sheets accordingly. This directive was issued several weeks ago, but we're still seeing it slipped in now and then, and it's a sign of sloppy computer work. We are currently working with our IT people to design functionality into these directives, so that when opened on your desktop they automatically update both your macros and your approved phrasebooks. Until then, however, we still have to do it manually. The new Approved Theme regarding immigration is that "The Republican Party Is Too Far Right," and this should be the central thrust of ANY discussion of the topic. Please note that the Approved Theme, "The Current Debate on Immigration Helps the Democrats," is STILL Approved and Operational and should be used in tandem with the new Approved Theme. Please also note that there is NO Iconoclastic Pose yet approved by Management.

Thank you for your prompt attention to these new Approved Themes. We know you'll find them useful in your work reporting and analyzing the news, and we hope you appreciate all of the time and effort it takes to come up with Approved Themes that have the snap, crackle, and pop of genuine independent thought, without all of the messy and distracting effort necessary to produce it yourself.

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■ MUSIC ■

Rockin' the Right

JOHN J. MILLER

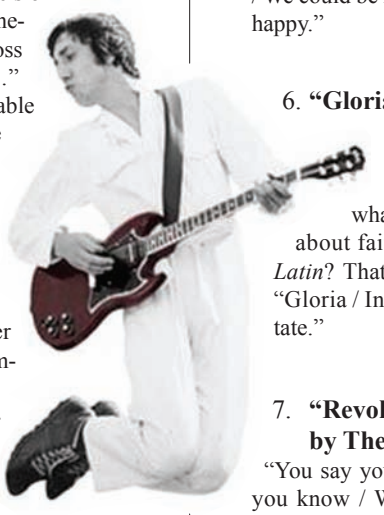
On first glance, rock 'n' roll music isn't very conservative. It doesn't fare much better on second or third glance (or listen), either. Neil Young has a new song called "Let's Impeach the President." Last year, the Rolling Stones made news with "Sweet Neo Con," another anti-Bush ditty. For conservatives who enjoy rock, it isn't hard to agree with the opinion Johnny Cash expressed in "The One on the Right Is on the Left": "Don't go mixin' politics with the folk songs of our land / Just work on harmony and diction / Play your banjo well / And if you have political convictions, keep them to yourself." In other words: Shut up and sing.

But some rock songs really are conservative—and there are more of them than you might think. Last year, I asked readers of National Review Online to nominate conservative rock songs. Hundreds of suggestions poured in. I've sifted through them all, downloaded scores of mp3s, and puzzled over a lot of lyrics. What follows is a list of the 50 greatest conservative rock songs of all time, as determined by me and a few others. The result is of course arbitrary, though we did apply a handful of criteria.

What makes a great conservative rock song? The lyrics must convey a conservative idea or sentiment, such as skepticism of government or support for traditional values. And, to be sure, it must be a great rock song. We're biased in favor of songs that are already popular, but have tossed in a few little-known gems. In several cases, the musicians are outspoken liberals. Others are notorious libertines. For the purposes of this list, however, we don't hold any of this against them. Finally, it would have been easy to include half a dozen songs by both the Kinks and Rush, but we've made an effort to cast a wide net. Who ever said diversity isn't a conservative principle?

So here are NR's top 50 conservative rock songs of all time. Go ahead and quibble with the rankings, complain about what we put on, and send us outraged letters and e-mails about what we left off. In the end, though, we hope you'll admit that it's a pretty cool playlist for your iPod.

1. **"Won't Get Fooled Again," by The Who.**
The conservative movement is full of disillusioned revolutionaries; this could be their theme song, an oath that swears off naïve idealism once and for all. "There's nothing in the streets / Looks any different to me / And the slogans are replaced, by-the-bye. . . . Meet the new boss / Same as the old boss." The instantly recognizable synthesizer intro, Pete Townshend's ringing guitar, Keith Moon's pounding drums, and Roger Daltrey's wailing vocals make this one of the most explosive rock anthems ever recorded—the best number by a big band, and a classic for conservatives.



2. **"Taxman," by The Beatles.**
A George Harrison masterpiece with a famous guitar riff (which was actually played by Paul McCartney): "If you drive a car, I'll tax the street / If you try to sit, I'll tax your seat / If you get too cold, I'll tax the heat / If you take a walk, I'll tax your feet." The song closes with a humorous jab at death taxes: "Now my advice for those who die / Declare the pennies on your eyes."

3. **"Sympathy for the Devil," by The Rolling Stones.**
Don't be misled by the title; this song is *The Screwtape Letters* of rock. The devil is a tempter who leans hard on moral relativism—he will try to make you think that "every cop is a criminal / And all the sinners saints." What's more, he is the sinister inspiration for the cruelties of Bolshevism: "I stuck around St. Petersburg / When I saw it was a time for a change / Killed the czar and his ministers / Anastasia screamed in vain."

4. **"Sweet Home Alabama," by Lynyrd Skynyrd.**
A tribute to the region of America that liberals love to loathe, taking a shot at Neil Young's Canadian arrogance along the way: "A Southern man don't need him around anyhow."

5. **"Wouldn't It Be Nice," by The Beach Boys.**
Pro-abstinence and pro-marriage: "Maybe if we think and wish and hope and pray it might come true / Baby then there wouldn't be a single thing we couldn't do / We could be married / And then we'd be happy."

6. **"Gloria," by U2.**
Just because a rock song is about faith doesn't mean that it's conservative. But what about a rock song that's about faith and whose chorus is in *Latin*? That's beautifully reactionary: "Gloria / In te domine / Gloria / Exultate."

7. **"Revolution," by The Beatles.**
"You say you want a revolution / Well you know / We all want to change the world . . . Don't you know you can count me out?" What's more, Communism isn't even cool: "If you go carrying pictures of Chairman Mao / You ain't going to make it with anyone anyhow." (Someone tell the Che Guevara crowd.)

8. **"Bodies," by The Sex Pistols.**
Violent and vulgar, but also a searing anti-abortion anthem by the quintessential punk band: "It's not an animal / It's an abortion."

9. **"Don't Tread on Me," by Metallica.**
A head-banging tribute to the doctrine of peace through strength, written in

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Join them for seven relaxing days and nights of politics and policy, conservative revelry, and world-class luxury cruising.

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There are countless reasons to come, but none bigger than the luminaries who will be aboard this luxury trip—what a truly extraordinary gathering! It's one of the best ensembles we've ever had on an *NR* cruise, which guarantees that our seminar sessions (featuring ample audience "Q & A") will be fascinating.

- ✔ Imagine **Bill Buckley**, **Milton Friedman,** and **Arthur Laffer** discussing the national and global economies, giving their unrivaled thoughts on where America has been, is, and is going in the pursuit of free markets and liberty.
- ✔ Two years ago *NR* cruisers were enthralled by the interchanges between **Bernard Lewis** and **Victor Davis Hanson** on the brutal revival of the age-old struggle between Islam and the West. These two academic giants will be with us yet again to provide their razor-sharp insights on America's dealings in Iraq and the Middle East.
- ✔ Who is better positioned to discuss the state of the federal courts than former judge and Solicitor General **Kenneth Starr**? Or the fight against race quotas than **Ward Connerly**? Or the latest phases in America's culture wars than **Dinesh D'Souza**? We are terribly fortunate to be sailing again with these thoughtful conservative leaders.
- ✔ Arizona Republican **John Shadegg** and former Congressmen **Pat Toomey** (now President of the Club for Growth) are two true-blue conservatives who've never backed away from principle—their authoritative and honest take on the state of the GOP on Capitol Hill following the November 7th elections is something no one will want to miss.
- ✔ And they'll be joined in all the ruminating, elucidating, and analyzing of the 2006 elections and their aftermath by *NR*'s editorial heavyweights, led by **Rich Lowry**, who will be ably assisted by **Kate O'Beirne**, **Ramesh Ponnuru**, **Jay Nordlinger**, and **John O'Sullivan**.

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SAT/Nov. 11	San Diego, CA		5:00 PM	evening cocktail reception
SUN/Nov. 12	AT SEA			morning/afternoon seminars evening religious services
MON/Nov. 13	Cabo San Lucas (Mexico)	8:00 AM	6:00 PM	late-night smoker
TUES/Nov. 14	Mazatlan	8:00 AM	6:00 PM	
WED/Nov. 15	Puerto Vallarta	8:00 AM	11:00 PM	evening cocktail reception
THURS/Nov. 16	AT SEA			morning/afternoon seminars late-night smoker
FRI/Nov. 17	AT SEA			morning/afternoon seminars evening cocktail reception
SAT/Nov. 18	San Diego, CA	7:00AM		

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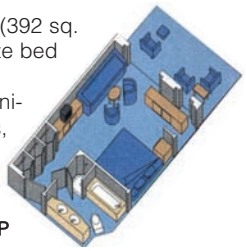
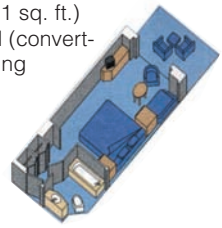
Category SA
DOUBLE OCCUPANCY RATE: $ 3,999 P/P
SINGLE OCCUPANCY RATE: $ 7,499

SUPERIOR SUITE Grand stateroom (392 sq. ft.) features private verandah, queen-size bed (convertible to 2 twin beds), whirlpool bath/shower, large sitting area, DVD, mini-bar, refrigerator, floor-to-ceiling windows, and much more.



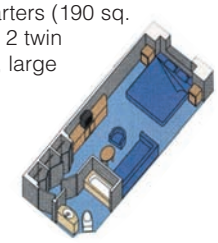
Category SS
DOUBLE OCCUPANCY RATE: $ 3,299 P/P
SINGLE OCCUPANCY RATE: $ 5,999

DELUXE OUTSIDE Spacious cabin (241 sq. ft.) features private verandah, queen-size bed (convertible to 2 twin beds), bath with shower, sitting area, mini-bar, tv, refrigerator, and floor-to-ceiling windows.



Category VA
DOUBLE OCCUPANCY RATE: $ 2,899 P/P
SINGLE OCCUPANCY RATE: $ 4,499

LARGE OCEAN VIEW Comfortable quarters (190 sq. ft.) features queen-size bed (convertible to 2 twin beds), bathtub with shower, sitting area, tv, large ocean-view windows.



Category D
DOUBLE OCCUPANCY RATE: $ 2,399 P/P
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LARGE INSIDE Cozy but ample cabin quarters (185 sq. ft.) features queen-size bed (convertible to 2 twin beds), bathtub with shower, sitting area, tv, large ocean-view windows.

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SINGLE OCCUPANCY RATE: $ 2,499

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Please fill out application completely and mail with deposit check or fax with credit-card information. One application per cabin. If you want more than one cabin, make copies of this application. For questions call The Cruise Authority at 800-707-1634.

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Name #1 (full legal name) + Nickname _____ Date of Birth _____ Size: S-XXL

Name #2 (full legal name) + Nickname _____ Date of Birth _____ Size: S-XXL

Names #3 & #4 (if taking others in your cabin) _____ Date of Birth _____ Size: S-XXL

Street Mailing Address _____

City _____ State _____ ZIP _____

( ) Daytime Phone _____ Email Address _____

Special Information (medical conditions, celebrating anniversary, etc.) _____

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(Make checks payable to "National Review Cruise")

☐ Charge to: AmEx ☐ Visa ☐ MasterCard ☐ Discover

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Expiration Date (Month) ☐☐ (Year) ☐☐

_____
Authorized Signature of Cardholder/Guest

Information and price quote on Cancellation Fee Waiver/Medical Insurance will accompany your statement. Cancellation Penalty Schedule follows (cancellations must be received in writing by the date indicated):

PRIOR *to June 12, 2006*	*$75 per person*
June 12, 2006 to August 11, 2006	*$400 per person*
AFTER *August 11, 2006*	*100% of cruise/package*

Cruise

(All rates are per person, double occupancy, and include all port charges and taxes, all gratuities, meals, entertainment, and *National Review* activities. Cruise-only rates include all of above except airfare and transfers. Failure to appear for embarkation for any reason constitutes a cancellation subject to full penalties. Personal items not included.)

PLEASE CHECK ALL APPLICABLE BOXES!

I. CABIN CATEGORY *(see list and prices on previous page)*

First cabin category choice:_____ Second cabin category choice:_____

Bedding: Beds made up as ☐ Twin ☐ King/Queen

BOOKING SINGLE? ☐ Please try to match me with a roommate. (My age: ____)

II. AIR/TRANSFER PACKAGES

☐ We will provide our own roundtrip air and transfers to and from San Diego.
☐ Include air with our package from _____ (see list below).
☐ We need to purchase transfers from the airport to the ship at $32 per person.

III. GENERAL INFORMATION

CITIZENSHIP: Is everyone a U.S. citizen? ☐ Yes ☐ No
If No, indicate citizenship: _____

DINING w/ FRIENDS/FAMILY: I wish to dine with _____
☐ Every Night ☐ 3-4 times ☐ Once

IV. PRE- AND POST-CRUISE TOUR PACKAGES

☐ Please send me information on pre-/post-cruise packages in San Diego.

Important!

Everyone cruising will be required to bring either a valid passport OR a certified birth certificate (with raised seal!), plus photo ID. Failure to do so may result in being denied boarding of the *Oosterdam*. Children do not require photo ID.

Responsibility: Notice is hereby given that the cruise advertised herein, including all tickets, vouchers and coupons issued and all arrangements for transportation or conveyance or for hotel or lodging or for sightseeing services are made by H20 Ltd. d/b/a The Cruise Authority (TCA) on behalf of *National Review*, as agency for Holland America Line (HAL), and/or service providers and/or suppliers providing services necessary for operation of the tour upon the express condition that TCA shall not be liable for injury, damage, loss, accident, delay or irregularity to any tour participant or his or her property that may result from any act or omission of any company, contractor or employee thereof providing services in connection with the tour, including but not limited to transportation, lodging, food and beverage, entertainment, sightseeing, luggage handling and tour guiding. Furthermore, TCA cannot be held responsible for delays or costs incurred resulting from weather and road connections, breakdowns, strikes, riots, acts of God, acts of terrorism, authority of law or other circumstances beyond its control. In the event that a participant be entitled to a refund of monies paid, TCA will not be liable in excess of amount paid. TCA reserves the right to decline any persons as a tour participant at any time. TCA is not responsible for price increases imposed by HAL and/or service providers. Such increases may be implemented prior to deposit received. TCA is not responsible for breach of contract or any intentional or careless actions or omissions on the part of HAL and/or service providers, such as suppliers of tours or other services used or obtained on or at the time of the cruise or shore excursions, which result in any loss, damage, delay or injury to you or your travel companions or group members. TCA does not guarantee any of such suppliers rates, booking or reservations and TCA shall not be responsible for any social or labor unrest, mechanical or construction difficulties, acts of terrorism, diseases, local laws, climate conditions, abnormal conditions, or developments or any other actions, omissions or conditions outside of TCA's control. TCA, nor *National Review* shall be responsible for the accessibility, appearance, actions or decisions of those individuals promoted for this cruise. By embarking upon his or her travel, the traveler voluntarily assumes all risks, and is advised to obtain appropriate insurance coverage against them. Retention of tickets, reservations, or package after issuance shall constitute a consent to the above and an agreement on your part to convey the contents hereof to your travel companions.

AIR TRAVEL: You can simplify your air-travel arrangements by taking advantage of **Holland America's "Fly Cruise" Program**. The following per-person, economy-class prices for travel to and from the listed home city air gateways include transfers to and from the *Oosterdam* in San Diego, CA. First-Class air is available upon request. You cannot utilize frequent flyer points to upgrade these airfares to First Class.

AL	Birmingham	$614	FL	Orlando	$554	MI	Detroit	$564	NC	Greensboro	$604
	Mobile	$554		Pensacola	$674		Grand Rapids	$474		Raleigh/Durham	$614
AR	Little Rock	$594		Tampa	$554	MN	Mnpls/St. Paul	$534	OK	Oklahoma City	$494
AZ	Phoenix	$374	GA	Atlanta	$564	MO	Kansas City	$514		Tulsa	$374
	Tucson	$274	HI	Honolulu	$734		Springfield	$454	OH	Akron/Canton	$534
CA	Fresno	$264	ID	Boise	$424		St. Louis	$494		Cincinnati	$534
	Los Angeles	$254	IL	Chicago	$504	MT	Billings	$534		Cleveland	$444
	Oakland	$274		Peoria	$514	NE	Omaha	$534		Columbus	$474
	Sacramento	$324	IN	Ft. Wayne	$614	NV	Las Vegas	$264		Dayton	$614
	San Francisco	$284		Indianapolis	$444		Reno	$274	OR	Portland	$404
	San Jose	$284	IA	Cedar Rapids	$534	NJ	Newark	$504		Medford	$424
CO	Col. Springs	$474		Des Moines	$554	NM	Albuquerque	$584	PA	Allentown	$524
	Denver	$544	KS	Wichita	$484	NY	Albany	$584		Harrisburg	$504
CT	Hartford	$604	KY	Lexington	$534		Buffalo	$574		Philadelphia	$514
DC	Washington - DCA	$664		Louisville	$534		New York - JFK	$544		Pittsburgh	$524
	Washington - IAD	$614	LA	New Orleans	$614		New York - LGA	$514	RI	Providence	$584
FL	Ft. Lauderdale	$514	ME	Portland	$684		Rochester	$584	SC	Charleston	$624
	Jacksonville	$584	MD	Baltimore	$534		Syracuse	$654		Columbia	$654
	Miami	$594	MA	Boston	$564	NC	Charlotte	$594		Greenville	$644

TX	Austin	$364
	Dallas/Ft. Worth	$474
	El Paso	$354
	Houston	$474
	San Antonio	$434
TN	Knoxville	$674
	Memphis	$594
	Nashville	$684
UT	Salt Lake City	$414
VA	Norfolk	$634
	Richmond	$584
WA	Seattle	$384
	Spokane	$544
WI	Madison	$594
	Milwaukee	$554

IMPORTANT NOTES: **1.** These air add-ons apply to the cruise or cruise + pre- or post-cruise package. All transfers for air/sea passengers are included. **2.** Should you elect to provide your own air transportation, note that transfers from the airport to the *Oosterdam* (Port of San Diego) are not included, but are available for purchase $32pp roundtrip. Schedule your arrival in San Diego (SAN) leaving plenty of time for flight delays! Arrive no later than 1:30pm on November 11th. Return flights from San Diego should not be arranged before 11:00am on November 18th. **3.** Should you wish to deviate your air from the "standard" schedule, Holland America Line charges $50pp for this service. All requests must be sent in writing to The Cruise Authority. Air deviation fees are non-refundable. **4.** Any special seat assignments or other requests must be made directly with the participating air carrier. You will receive your air schedule approximately 30 days prior to departure. **5.** Fees will apply to any changes to existing air reservations made within 65 days of travel or deletion/cancellation of the Fly-Cruise Plan from your booking within this same time period.

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response to the first Gulf War: "So be it / Threaten no more / To secure peace is to prepare for war."

10. **"20th Century Man," by The Kinks.**
"You keep all your smart modern writers / Give me William Shakespeare / You keep all your smart modern painters / I'll take Rembrandt, Titian, da Vinci, and Gainsborough. . . . I was born in a welfare state / Ruled by bureaucracy / Controlled by civil servants / And people dressed in grey / Got no privacy got no liberty / 'Cause the 20th-century people / Took it all away from me."

11. **"The Trees," by Rush.**
Before there was Rush Limbaugh, there was Rush, a Canadian band whose lyrics are often libertarian. What happens in a forest when equal rights become equal outcomes? "The trees are all kept equal / By hatchet, axe, and saw."

12. **"Neighborhood Bully," by Bob Dylan.**
A pro-Israel song released in 1983, two years after the bombing of Iraq's nuclear reactor, this ironic number could be a theme song for the Bush Doctrine: "He destroyed a bomb factory, nobody was glad / The bombs were meant for him / He was supposed to feel bad / He's the neighborhood bully."

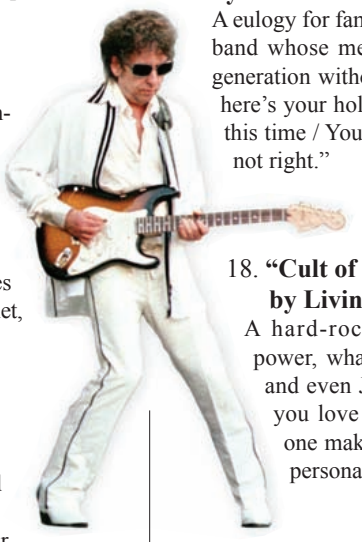
13. **"My City Was Gone," by The Pretenders.**
Virtually every conservative knows the bass line, which supplies the theme music for Limbaugh's radio show. But the lyrics also display a Jane Jacobs sensibility against central planning and a conservative's dissatisfaction with rapid change: "I went back to Ohio / But my pretty countryside / Had been paved down the middle / By a government that had no pride."

14. **"Right Here, Right Now," by Jesus Jones.**
The words are vague, but they're also about the fall of Communism and the end of the Cold War: "I was alive and I waited for this. . . . Watching the world wake up from history."

15. **"I Fought the Law," by The Crickets.**
The original law-and-order classic, made famous in 1965 by The Bobby Fuller Four and covered by just about everyone since then.

16. **"Get Over It," by The Eagles.**
Against the culture of grievance: "The big, bad world doesn't owe you a thing." There's also this nice line: "I'd like to find your inner child and kick its little ass."

17. **"Stay Together for the Kids," by Blink 182.**
A eulogy for family values by an alt-rock band whose members were raised in a generation without enough of them: "So here's your holiday / Hope you enjoy it this time / You gave it all away. . . . It's not right."



18. **"Cult of Personality," by Living Colour.**
A hard-rocking critique of state power, whacking Mussolini, Stalin, and even JFK: "I exploit you, still you love me / I tell you one and one makes three / I'm the cult of personality."

19. **"Kicks," by Paul Revere and the Raiders.**
An anti-drug song that is also anti-utopian: "Well, you think you're gonna find yourself a little piece of paradise / But it ain't happened yet, so girl you better think twice."

20. **"Rock the Casbah," by The Clash.**
After 9/11, American radio stations were urged not to play this 1982 song, one of the biggest hits by a seminal punk band, because it was seen as too provocative. Meanwhile, British Forces Broadcasting Service (the radio station for British troops serving in Iraq) has said that this is one of its most requested tunes.

21. **"Heroes," by David Bowie.**
A Cold War love song about a man and a woman divided by the Berlin Wall. No moral equivalence here: "I can remember / Standing / By the wall / And the guns / Shot above our heads / And we kissed / As though nothing could fall / And the shame / Was on the other side / Oh we can beat them / For ever and ever."

22. **"Red Barchetta," by Rush.**
In a time of "the Motor Law," presumably legislated by green extremists, the singer describes family reunion and the thrill of driving a fast car—an act that is his "weekly crime."

23. **"Brick," by Ben Folds Five.**
Written from the perspective of a man who takes his young girlfriend to an abortion clinic, this song describes the emotional scars of "reproductive freedom": "Now she's feeling more alone / Than she ever has before. . . . As weeks went by / It showed that she was not fine."

24. **"Der Kommissar," by After the Fire.**
On the misery of East German life: "Don't turn around, uh-oh / Der Kommissar's in town, uh-oh / He's got the power / And you're so weak / And your frustration / Will not let you speak." Also a hit song for Falco, who wrote it.

25. **"The Battle of Evermore," by Led Zeppelin.**
The lyrics are straight out of Robert Plant's Middle Earth period—there are lines about "ring wraiths" and "magic runes"—but for a song released in 1971, it's hard to miss the Cold War metaphor: "The tyrant's face is red."

26. **"Capitalism," by Oingo Boingo.**
"There's nothing wrong with Capitalism / There's nothing wrong with free enterprise. . . . You're just a middle class, socialist brat / From a suburban family and you never really had to work."

27. **"Obvious Song," by Joe Jackson.**
For property rights and economic development, and against liberal hypocrisy: "There was a man in the jungle / Trying to make ends meet / Found himself one day with an axe in his hand / When a voice said 'Buddy can you spare that tree / We gotta save the world—starting with your land' / It was a rock 'n' roll millionaire from the USA / Doing three to the gallon in a big white car / And he sang and he sang 'til he polluted the air / And he blew a lot of smoke from a Cuban cigar."

28. **"Janie's Got a Gun," by Aerosmith.**
How the right to bear arms can protect women from sexual predators: "What did

BOB DYLAN LAURENT AIS/AFP/GETTY

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her daddy do? / It's Janie's last I.O.U. / She had to take him down easy / And put a bullet in his brain / She said 'cause nobody believes me / The man was such a sleaze / He ain't never gonna be the same."

29. **"Rime of the Ancient Mariner," by Iron Maiden.**
A heavy-metal classic inspired by a literary classic. How many other rock songs quote directly from Samuel Taylor Coleridge?

30. **"You Can't Be Too Strong," by Graham Parker.**
Although it's not explicitly pro-life, this tune describes the horror of abortion with bracing honesty: "Did they tear it out with talons of steel, and give you a shot so that you wouldn't feel?"

31. **"Small Town," by John Mellencamp.**
A Burkean rocker: "No, I cannot forget where it is that I come from / I cannot forget the people who love me."

32. **"Keep Your Hands to Yourself," by The Georgia Satellites.**
An outstanding vocal performance, with lyrics that affirm old-time sexual mores: "She said no huggy, no kissy until I get a wedding vow."

33. **"You Can't Always Get What You Want," by The Rolling Stones.**
You can "[go] down to the demonstration" and vent your frustration, but you must understand that there's no such thing as a perfect society—there are merely decent and free ones.

34. **"Godzilla," by Blue Öyster Cult.**
A 1977 classic about a big green monster—and more: "History shows again and again / How nature points up the folly of men."

35. **"Who'll Stop the Rain," by Creedence Clearwater Revival.**
Written as an anti–Vietnam War song, this tune nevertheless is pessimistic about activism and takes a dim view of both Communism and liberalism: "Five-year plans and new deals, wrapped in golden chains . . ."

36. **"Government Cheese," by The Rainmakers.**
A protest song against the welfare state by a Kansas City band that deserved more success than it got. The first line: "Give a man a free house and he'll bust out the windows."

37. **"The Night They Drove Old Dixie Down," by The Band.**
Despite its sins, the American South always has been about more than racism—this song captures its pride and tradition.

38. **"I Can't Drive 55," by Sammy Hagar.**
A rocker's objection to the nanny state. (See also Hagar's pro-America song "VOA.")

39. **"Property Line," by The Marshall Tucker Band.**
The secret to happiness, according to these southern-rock heavyweights, is life, liberty, and property: "Well my idea of a good time / Is walkin' my property line / And knowin' the mud on my boots is mine."

40. **"Wake Up Little Susie," by The Everly Brothers.**
A smash hit in 1957, back when high-school social pressures were rather different from what they have become: "We fell asleep, our goose is cooked, our reputation is shot."

41. **"The Icicle Melts," by The Cranberries.**
A pro-life tune sung by Irish warbler Dolores O'Riordan: "I don't know what's happening to people today / When a child, he was taken away . . . 'Cause nine months is too long."

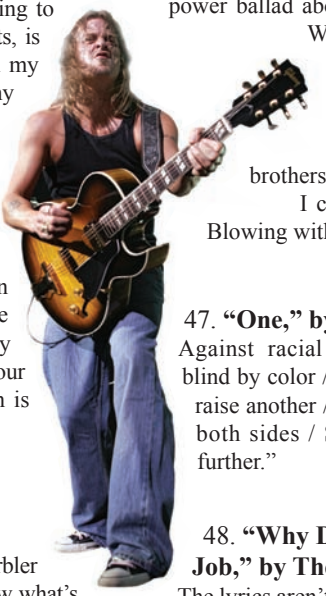
42. **"Everybody's a Victim," by The Proclaimers.**
Best known for their smash hit "I'm Gonna Be (500 Miles)," this Scottish band also recorded a catchy song about the problem of suspending moral judgment: "It doesn't matter what I do / You have to say it's all right . . . Everybody's a victim / We're becoming like the USA."

43. **"Wonderful," by Everclear.**
A child's take on divorce: "I don't wanna hear you say / That I will understand someday / No, no, no, no / I don't wanna hear you say / You both have grown in a different way / No, no, no, no / I don't wanna meet your friends / And I don't wanna start over again / I just want my life to be the same / Just like it used to be."

44. **"Two Sisters," by The Kinks.**
Why the "drudgery of being wed" is more rewarding than bohemian life.

45. **"Taxman, Mr. Thief," by Cheap Trick.**
An anti-tax protest song: "You work hard, you went hungry / Now the taxman is out to get you. . . . He hates you, he loves money."

46. **"Wind of Change," by The Scorpions.**
A German hard-rock group's optimistic power ballad about the end of the Cold War and national reunification: "The world is closing in / Did you ever think / That we could be so close, like brothers / The future's in the air / I can feel it everywhere / Blowing with the wind of change."



47. **"One," by Creed.**
Against racial preferences: "Society blind by color / Why hold down one to raise another / Discrimination now on both sides / Seeds of hate blossom further."

48. **"Why Don't You Get a Job," by The Offspring.**
The lyrics aren't exactly Shakespearean, but they're refreshingly blunt and they capture a motive force behind welfare reform.

49. **"Abortion," by Kid Rock.**
A plaintive song sung by a man who confronts his unborn child's abortion: "I know your brothers and your sister and your mother too / Man I wish you could see them too."

50. **"Stand By Your Man," by Tammy Wynette.**
Hillary trashed it—isn't that enough? If you're worried that Wynette's original is too country, then check out the cover version by Motörhead. **NR**

KID ROCK ALEXANDER TAMARGO/GETTY

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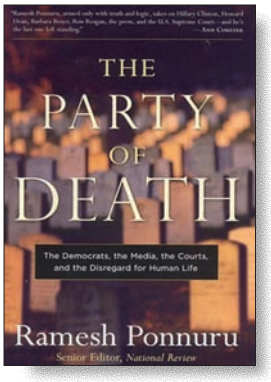
The Change Will Come



The Party of Death: The Democrats, the Media, the Courts, and the Disregard for Human Life, by Ramesh Ponnuru (Regnery, 303 pp., $27.95)

MICHAEL M. UHLMANN

YEARS ago, the surest way to get the china flying at an uptown dinner party was to say that Alger Hiss was guilty. The surest way today is to argue, imply, or even casually hint that *Roe* v. *Wade* was incorrectly decided. Among the chattering classes, belief in the right to abortion, indeed to abortion on demand, is the axiomatic categorical imperative; it is decreed ex cathedra, enforced by an army of grim-visaged inquisitors, and venerated with copious quantities of intellectual incense.

The Party of Death, the masterful polemic by NATIONAL REVIEW senior editor Ramesh Ponnuru, chronicles the origins of the abortion dogma, its ascendancy, perpetuation, fallacies, iniquities, and consequences. Many of the facts and arguments assembled by Ponnuru are familiar to pro-life cognoscenti, but seldom have they been gathered so artfully, or to such good effect, in one place—except, perhaps, by the indefatigable Hadley Arkes (see, e.g., his *Natural Rights and the Right to Choose*). Ponnuru himself has visited these precincts before, especially in his brilliant NR piece "Aborting History" (Oct. 23, 1995), which in many ways laid the intellectual foundation for the present book. *The Party of Death*, however, adds much new material, both on the current political situation, and on the latest intellectual contortions, statistical legerdemain, and propaganda techniques that surround the culture of death with a bodyguard of lies.

His thesis, in a nutshell, is that justifying abortion on demand necessarily entails a radical redefinition of what it means to be human; that the premises conceded in the abortion debate have already migrated into arguments supporting infanticide, euthanasia, lethal stem-cell research, and human cloning; and that the debate over the effort to redefine human nature now forms the central divide in American political culture. Ponnuru elaborates his argument with compelling force, driving it from beginning to end with devastating moral logic and a sniper's keen instinct for the bull's-eye.

The story he tells is not a happy one. It is in truth a horror story, and not only because of its grim subject matter (we are talking, after all, about the legally sanctioned killing of human beings). It is also horrible because it confirms a dark truth about reason's capacity for self-delusion and its toleration of wickedness. How is it that presumably rational people—indeed, compassionate people who weep over lost terriers and felled oaks—blink not an eye and shed not a tear over the massive brutality of abortion?

How is it that presumably rational people blink not an eye and shed not a tear over the massive brutality of abortion?

Averting one's gaze from that scale of barbarity does not come naturally; it has to be practiced habitually and supported by cultural totems that give it authority. The California Medical Association described the phenomenon precisely in a famous 1970 statement. Tolerance of abortion, it noted, betokened a new medical ethic that would inevitably undermine the traditional reverence for individual human life. "Since the old ethic has not yet been fully displaced, it has been necessary to separate the idea of abortion from the idea of killing, which continues to be socially abhorrent. The result has been a curious avoidance of the scientific fact, which everyone really knows, that human life begins at conception, and is continuous, whether intra- or extra-uterine, until death. The very considerable semantic gymnastics which are required to rationalize abortion as anything but taking a human life would be ludicrous if they were not often put forward under socially impeccable auspices."

The statement, which the California Medical Association wouldn't dare to repeat today, might serve as a pithy summary of Ponnuru's main argument. There is this telling difference, however: The idea of legally sanctioned killing is not so socially abhorrent as it once was. Willy-nilly, the contemporary biomedical ethic is working its way on little cat feet toward a transvaluation of everything the public believes about the dignity of the human person. When Dolly the sheep first arrived on the scene, public reaction evinced a considerable "yuck" factor, but, as Leon Kass has noted, the yuck factor has dissipated over time. Professors who know better, and celebrities who don't, were trotted out to declare that a cure for Parkinson's disease (or ten other dreaded afflictions) would be just around the corner if only embryonic-stem-cell research were adequately funded.

The wholesome revulsion that originally greeted the prospect of human cloning was muted, and in some cases replaced, by a utopian faith in scientific and social progress. Never mind that most embryonic-stem-cell research entails the creation of certifiably human creatures who will then be intentionally destroyed. (Remember that "mere clump of cells" from the abortion debate?) Otherwise decent and compassionate people can indeed be trained to avert their gaze from moral horror.

Ponnuru does not directly address the psychology animating the party of death (his term for those who would broaden the license to kill by first depriving victims of their humanity), but he understands it perfectly. One of his special strengths is to demonstrate, on page after page, the effect of semantic gymnastics and big-lie propaganda on an unassuming

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and uninformed public. By the time he is done, the logic of abortion—and all that it has implied—is a thing of shreds and patches. Death's zeitgeist nevertheless moves on. It has never paid much mind to scientific fact or moral logic in any event, nor is there much hope that it will do so in the future. Public opinion is something else again. On Ponnuru's showing, traditional moral sentiment, though weakened, remains a force to be contended with. He also believes that politicians in both political parties fear it.

Overturning *Roe* v. *Wade*, Ponnuru avers, would be a good first step to rouse respectable opinion. Contrary to conventional wisdom, he argues that reversing *Roe* would neither injure the pro-life cause politically nor, for that matter, make much of a dent in the availability of abortion, at least in the short term. (Liberal states would quickly ensure the procedure was available under state law.) Reversing *Roe*, however, would lead to a bracing public debate about what kind of society we wish to have, a debate that the Supreme Court cut off just as it was beginning 33 years ago. No one can predict the outcome of that debate, to be sure, but at the very least it will force the party of death to come clean about the implications of its arguments. Ponnuru's conclusion: "If abortion had not become the law of the land, we might not now be debating euthanasia or the killing of human embryos for research purposes. The same process might work in reverse. The more we reject abortion, the more we might come to reject other choices for death, too. That is surely what pro-lifers should work for." He may well be right, and even if he isn't, he has placed the argument for reversing *Roe* on its strongest ground.

The Party of Death deserves a wide and thoughtful reading. It will stimulate new enthusiasm among pro-lifers and drive the opposition to new heights of furious distraction. See for yourself. After you have read the book, try this experiment: The next time you find yourself at an uptown dinner party, turn to the person next to you like a politely inquiring hatchet and say, "Tell me, when do you think the life of a newborn baby ought to be protected by the law, and why?" (To be on the safe side, you should probably wait until sharp implements have been removed from the table.)

Unless your dinner partner is of like mind, you may not like the response, but whatever it is, Ponnuru's book will arm you with your next 25 questions, each of which will open slippery slopes that even a person of the dullest wit would not wish to descend. Stay with questions. Try to avoid declarative sentences except to clarify what the other person has said. Then, as the conversation broadens to the larger group (as surely it will), sit back and enjoy the fun as your companions twist in the entrails of their own logic. You probably will not make any converts, but who knows? It won't be your arguments that will change minds; if any, it will be their own. What Ponnuru has in mind is bringing that dinner-table discussion to the national stage. Even in these dark days, that prospect is almost enough to make one an optimist. **NR**

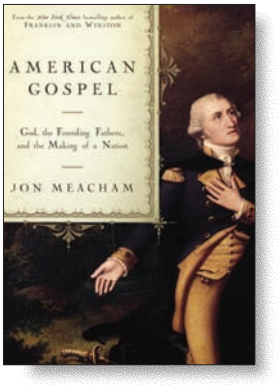
ACCOMPLICE

In dusty fields I harvested the vine
And sweated at the lever as the grapes were pressed.
My aching hands still clutched their vagrant wages,
Sleeping in the cold barracks of the dispossessed.

But now at dawn, beyond the reach of reason,
I wake in the chateau between your tangled sheets,
My sunburnt arm across your naked shoulder,
The mute accomplice of our mutual defeat.

—DANA GIOIA

The Last Word



American Gospel: God, the Founding Fathers, and the Making of a Nation, by Jon Meacham (Random House, 416 pp., $23.95)

WILLIAM F. BUCKLEY JR.

THIS book is a great poultice on the simmering antagonism between the ultra-separationists (we must not be required to say "under God" in our pledge of allegiance) and those who plead co-existence. No—Jon Meacham documents—religion was hardly extraneous to the development of the Constitution or the birth of the Republic. But the Founders did not incorporate religion in the Constitution. Church and state would be separate (and only contingently unequal). There was not even, in 1787, church/state division over the philosophically sundering question of slavery. There wasn't anything like a significant corporate challenge by Christian stalwarts to a Constitution that protected slavery, nor was there any serious effort by strict-enforcement zealots to disavow Christian overtones in the republican enterprise (Meacham usefully supplies the Biblical passages selected by every president at oath-taking time). What happened in the 20th century was a polarization on church–state over such issues as busing children to church

Mr. Buckley is Editor-at-Large of NATIONAL REVIEW. His novel *Castledown* will be published next spring by Regan Books.

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schools. In some quarters, constitutional hygiene was taken to preposterous lengths. Justice William O. Douglas pointed out that the absolutist position would require the conclusion that public firefighting facilities could not constitutionally be used to douse fires in churches.

What has very much been needed is such a voice as this of reasoned calm. *American Gospel* confirms that religion had a great deal to do with the genesis of the nation, and Meacham deduces that religion should reasonably continue to inform the citizenry, but always with regard to the protocols of separation. On some conundrums, notwithstanding that lines are clearly crossed, it's wisest just to ignore the syllogistic short-circuits. James Madison, who basically signed on to Thomas Jefferson's unfortunate concept of a "wall of separation," was confronted with such problems when Congress came up with a chaplain—a manifest breach of The Wall. Mr. Madison leaned back and said in effect, *Forget the problem. Just do it.* And it was done, as also myriad other trespasses, like tax-protected religious enterprises and the presidential inaugural ceremony.

With magisterial sweeps, traveling from the Founding to the beginning of the 21st century, Meacham (who is managing editor of *Newsweek*) disposes of the internecine absolutists, but acknowledges that there are unresolved and bitter questions brought on—most divisively—by the Supreme Court's intervention into the City of God when it ruled, in *Roe* v. *Wade*, that abortion was a constitutional right. President Jimmy Carter would comment privately that he did not believe that Jesus would have accepted abortion (or capital punishment), but as president Carter was under obligation not to the word of Christ, but rather to the word of the Constitution. One has to believe that such reservations as his were privately held by other presidents and lawmakers who, while standing by their Christian faith, defended a Constitution that protected slavery.

Meacham examines, as expected, problems posed by some on the Christian Right. Religion, he reminds the reader, is not in most people an isolatable element of life. "Humankind could not leave off being religious even if it tried. The impulse is intrinsic." He cites implied sanction of religion in the words of William James. "We and God have business with each other," the philosopher told a scholarly audience in Edinburgh; "and in opening ourselves to His influence our deepest destiny is fulfilled. The universe . . . takes a turn genuinely for the worse or for the better in proportion as each one of us fulfills or evades God's demands."

But Meacham rebukes severely what he deems the excesses of such as Jerry Falwell and Tim LaHaye (in the latter's book *Faith of Our Founding Fathers*). "The problem with their reading of history is that it is wrong. There is no doubt, as we have seen, that the Founders lived in and consciously bequeathed a culture shaped and sustained by public religion, one that was not Christian or Jewish or Muslim or Buddhist but was simply transcendent, with reverence for the 'Creator' and for 'Nature's God.'"

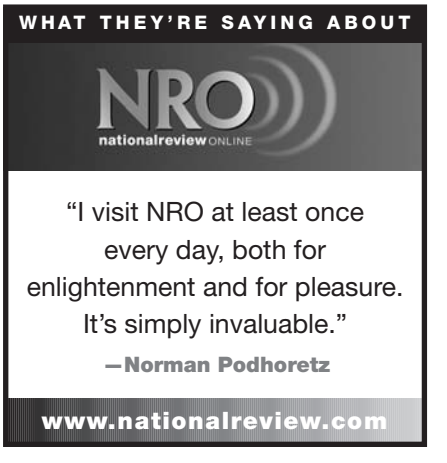
No sectarian religion has ever got it into its head even to attempt to nationalize its creed.

This is Correct Thought, but there is revisionist egalitarianism at work here at least the equal of Jerry Falwell's arguing the sectarian opposite. An understanding of a "public religion," as here used, requires us to sit still for transmogrifications of language. U.S. history would be astonished by any suggestion that Judaeo-Christian thought was just one religious tradition present at the founding of the nation.

Meacham quotes Billy Graham: "It is true that we are a pluralistic nation." Well, sure. But, as in political pluralism, you end up voting for a Democrat or a Republican. "We have a Constitution which guarantees to all of us human freedoms, of which religious freedom is foremost." What does Dr. Graham intend here, other than orotundity? There isn't much intercredal tension here—there'd be tension if there were public pressure to *profess* a religion. "In America any and all religions have the right to exist and to propagate what they stand for." Yes, unless they challenge settled U.S. mores. Religions that postulate the inequality of women or of races, or the right to multiple marriages, are seen as outside the mainstream. "We enjoy the separation of church and state, and no sectarian religion has ever been—and we pray God, ever will be—imposed upon us." That is correct, as also that no sectarian religion has ever got it into its head even to attempt to nationalize its creed.

Randall Jarrell was definitively ironic on the matter of unobtrusive religion, describing one character in his novel *Pictures from an Institution* as believing in "at most one God." Meacham declines the challenge to examine some of the clichés he passes along from Graham, as in, "In our pluralistic state we have learned to live with each other and to respect each other's religious and political convictions." The phenomenon being celebrated arises from indifference to religion, not from toleration of it. Graham adds: "There's a truth reiterated throughout the teachings of the various religions, but especially in the Bible, that no man rules except by the will of God." But that is either meaningless or wrong. There are no grounds for believing in the pietistic notion that the will of God had anything whatever to do with the advent of Hitler.

The American experience is leached of meaning by platitudinous stress on the freedom of worship. Of primary concern, surely, are the secularist engines that mock the very idea that worship is compatible with higher thought. That subject engaged this reviewer when at Yale, fifty-five years ago. And the subject of religion was once considered worth noting every week in sections of *Time* and *Newsweek*. Still, Mr. Meacham's invaluable book serves as a lodestar for original thought on—the American gospel. **NR**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■ MUSIC II ■

Opera Boss

JAY NORDLINGER

WHEN I walk into Joe Volpe's office, he's just getting off the phone—with Luciano Pavarotti. Volpe is general manager of the Metropolitan Opera, only weeks from retirement. Pavarotti, of course, is the biggest opera star of our time (and that's not a fat reference). The great tenor has been sick lately, and he's essentially retired. But will he appear at Volpe's farewell gala, scheduled for May 20? (The event will take place after this issue of the magazine goes to press.) That would really be something.

Volpe is thinking about more than his gala. His memoir is coming out, and he's not very happy about what the publisher is doing to publicize it—way too little. But the book, I would wager, will sell. Called *The Toughest Show on Earth: My Rise and Reign at the Metropolitan Opera*, it's blunt and interesting, just like Volpe. The Annie Leibovitz photo on the cover shows him glowering, just a bit. This certifies his reputation as the toughest guy who ever ran the toughest show.

The office we are in is the same one used by Rudolph Bing, legendary general manager of the Met (from 1950 to 1972). Volpe has his desk in the same position as Bing's; and he has a monitor in front of that desk, allowing him to see and hear what's taking place on the Met stage at all times. I ask Volpe whether he considers GM of the Met the best job in the world. He says, "I consider it the best job in the performing-arts world"—little doubt about it.

Volpe's rise to this position was incredibly unlikely, and incredibly American. He started at the Met in 1963, as an apprentice carpenter. He later became master carpenter, technical director, operations director . . . eventually the top guy. This has Horatio Alger written all over it. But Volpe had never been an urchin.

It's true that Volpe rejected college, and it's true that he began his Met career in the carpentry shop. But Volpe's family was well-off. His father and at least one grandfather were very successful businessmen. Volpe notes that people like to describe his story as "from rags to riches"—but "my father built a house in 1950, and paid cash!" Young Joe was a successful businessman himself. At 17, he owned an Amoco station. And he was 1960's Young Businessman of the Year, in Nassau County (Long Island).

At the Met, Volpe came under the influence of Rudolph Bing. Outwardly, they couldn't have been more different, that pair. Bing was a Viennese aristocrat (or at least he carried himself like one); Volpe was a brash Italian American. But they "got on really well," says Volpe. Bing encouraged the young man to broaden his vision—to see the whole opera house, with its many operations and intrigues. If Volpe ever had a model, he says, it was Bing.

Not everyone was pleased when Volpe ascended to the top in 1990—and that's putting it mildly. Many people, including members of the Met board, considered Volpe too rough for the job. Could he really be the face of the Met? Could he really talk to singers, and conductors, and stage directors—and tony donors (or potential donors)? He really could. Volpe's book is full of what you might call class resentments, and class shots. He's very, very hard on Anthony Bliss, one of his predecessors as Met chief, and a blueblood. But Volpe maintains, in his office, that any ill feeling on this score is gone.

Once at the helm, Volpe ran a very tight ship. Rehearsals started on time, budgets were scrutinized, operatic behavior was less indulged. And Volpe was very adept at dealing with unions, the bane of many an opera house. Surely this was, in part, because he had come from those ranks.

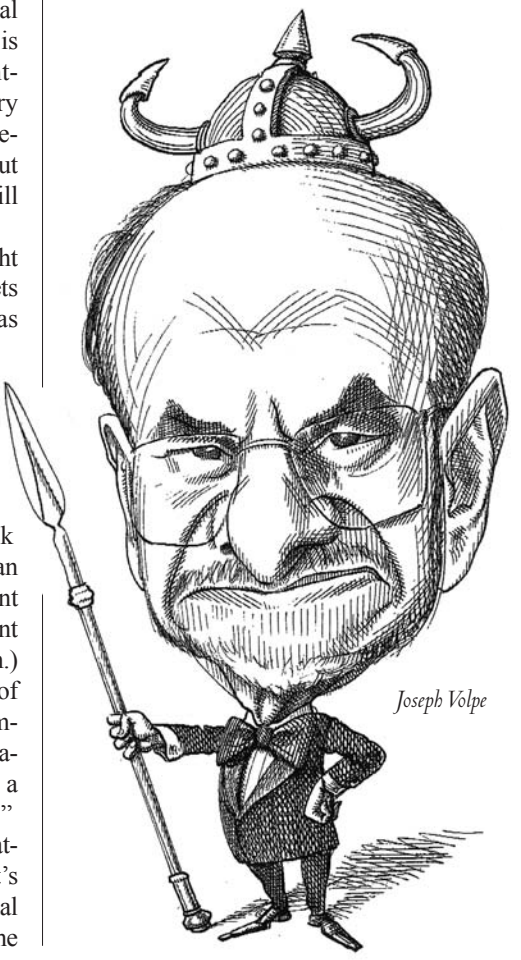
And Volpe was not closed to innovation—for example, he brought "seatback titles" to the Met. This means that you can now follow the libretto on the seat in front of you. (Alternatively, if you don't want this service, you don't have to turn it on.) The war over titles was bloody. A lot of people thought Volpe was defiling a temple, bringing titles to the Met. The company's conductor, James Levine, made a famous statement: "Over my dead body."

But Volpe went ahead. The idea for seatback titles was his, actually. (The Met's proscenium is way too high for the usual supertitles.) And it was Volpe's longtime lieutenant, Joe Clark, who developed those titles. In my view, seatback titles are a major part of the Volpe legacy. And the GM notes, with a smile, that, "if you see Jimmy [Levine] in the auditorium, his titles are on." That is, when Levine is attending a performance, he himself uses the service—very nice.

Anyone who's worked in an opera house for 40-plus years has a million tales about singers—and Volpe tells a few in his book. The soprano Jessye Norman wouldn't use a dressing room with carpet in it, for fear that lint would invade her throat. So, "we put her upstairs in a converted storage room, and she occupied it like a queen." And he has many, biting things to say about Angela Gheorghiu, the tempestuous Romanian diva. In a production of *Carmen*, the character of Micaëla was supposed to wear a wig. Gheorghiu didn't want to. Volpe insisted on it. After a long—and somewhat hilarious—struggle, Volpe won.

If you don't think this is remarkable, you don't know La Gheorghiu.

One of the best anecdotes in the book doesn't involve a singer at all, but a stage



Joseph Volpe

ROMAN GENN

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director. This "great European director"—unnamed—is eyeing the young men on the stage crew, who are changing some scenery. The head of the crew tells him, "Move along now. This ain't a supermarket."

The singer with whom Joe Volpe is eternally linked is Kathleen Battle—because he fired her. This is the most famous firing in opera history (including that of Maria Callas by Bing). Battle had long been a problem in the opera world, behaving erratically and often abusively. Her colleagues grew to dread her. One day, in 1994, the starry soprano went too far—and Volpe had had enough. Ronald Wilford, the powerful head of Columbia Artists, said to him, "If you go through with this, think of your obituary. All it will say is that you're the guy who fired Kathy Battle." Responded Volpe, "In that case, more people will come to my funeral." And, indeed, his firing of Battle was hugely popular in the music world, a signal that you could actually stand up to such types.

Kathy Battle is obviously a troubled individual, and Volpe is not without pity for her. I ask whether Battle might ever rise again. Volpe muses, "Could she be helped, if she had a great manager, or someone who could really talk to her? I don't think she'd allow that. Jimmy, maybe, if Jimmy spent time with her."

A curious phenomenon in opera, Volpe explains, is that trouble comes from sopranos and tenors—rarely mezzos, baritones, and basses. Might have something to do with living up there in that "thin air." His two blockbuster tenors, of course, were Pavarotti and Domingo. And these were very different types. One (Domingo) is terrifically hard-working; the other . . . is not. "Everything came natural to Luciano," says Volpe, "and he had a voice that was unforgettable. He did incredibly well, obviously—he was a superstar. But he didn't work very hard, which was a shame."

Another difference between Pavarotti and Domingo is recognizability; they occupy different levels of fame. "Luciano gets out of an airplane, in Des Moines or wherever, with his scarf and all that, people are going to recognize him. Plácido will have a suit—wonderful-looking gentleman—and no one will know who he is."

I ask who, among singers, is underrated. Is there anyone—sort of a sleeper—who doesn't get his due? Volpe answers with a generalization: "A singer who has extraordinary talent but can't sell it—those are the ones who never get their due. Look at Cecilia Bartoli [an Italian mezzo with personality coming out of her ears]—does she know how to sell or does she know how to sell?"

For the past 35 years, the most important musician at the Met has been the conductor, Levine. He's generally thought to be unknowable, and, as Volpe says, "Jimmy is very private." But not all that private: "If there was a function to go to—a small cast party—Jimmy would say, 'I don't know, I don't know.' And then he'd be the last to leave." By reputation, Levine is as indirect and non-confrontational as Volpe is direct and confrontational. But they managed to reach a modus vivendi, working in harmony.

And, says Volpe, "I was always very supportive of Jim, I always put him first. My ego might have been big—but it wasn't big enough to say that I should come before Jimmy."

A perpetual knock on Volpe was that his Met was too conservative—not risk-taking or audacious enough. Volpe pleads guilty, without feeling the least guilty. "I haven't given in to avant-garde productions." And he defends the Met as a house for grand opera, devoted to putting on opera grandly. "That's why the majority of our patrons are here. And the Europeans come to the Met for it. They love the building, they love the atmosphere, they love the idea of these great big productions, which they don't have over there." At Bayreuth, he sees the most hard-core Wagnerians. "And they say, 'Whatever you do, Mr. Volpe, don't get rid of your *Ring*.'"

Under the incoming boss, Peter Gelb, the Met looks set to become more "modern," or European—more pleasing to critics, and less pleasing to traditional fans. I ask Volpe, "Are you at all nervous about this? How much experimentation can the Metropolitan Opera bear?" After a long pause, he says, "You don't think I'm going to answer that, do you?" I thought he just might.

Few have disputed that he has been a fierce protector of the Met's interest, including its bottom line. (Times have been challenging since 9/11, but times are often challenging, in the arts as in life.) Volpe says that a Met board member once told him something like the following: "If you were in the business world, and ran things the way you do, your profits would go up. You'd be paid more. But I don't understand why you do it at the Met. You watch over every penny as if it were your own, and there's no incentive in it for you." Volpe is, indeed, a rarity in the performing-arts world, where waste and whimsy are common. If arts institutions cry poor, perhaps it's because their management is a mess.

Volpe is going into business—real business—this summer, when he joins Giuliani Partners. He and the ex-mayor are old friends; they're not dissimilar, in temperament and style. Volpe says, "Let's see what kind of trouble I can get into down there." He will attend the opera every now and then, "if I think there's a great cast." Otherwise, he will simply get on with things.

And "what's on tonight?" I say, as I'm walking out of the office. "*Rigoletto*," says the GM. The Met has been at the center of opera since its founding in 1883, and it has had a very good run—in my estimation—under the ex–apprentice carpenter. And Nassau County's Young Businessman of the Year for 1960. **NR**

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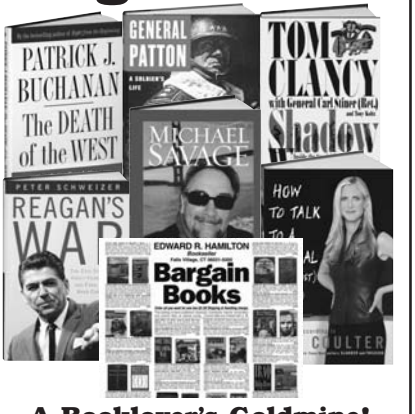

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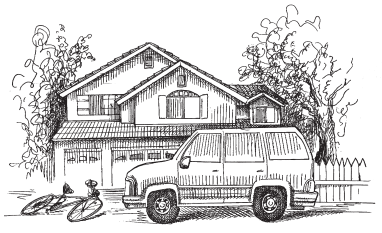
■ THE STRAGGLER ■

Reading *Lolita* in Long Island



JOHN DERBYSHIRE

NATURE is, as one of Katherine Hepburn's characters observed, what we are put in this world to rise above. On the other hand, a Frenchman of at least equal sagacity pointed out that he who would act the angel makes himself a beast. Plainly, therefore, we should not aspire to rise too high above nature. Somewhere between the beast and the angel is a point of balance.

This line of thought began when, opening up my *New York Post* one recent Sunday, I found myself looking at Amy Fisher, "the Long Island Lolita." This was the girl who, back in 1992, shot her lover's wife in the face. Said lover, the egregious Joey Buttafuoco, was 18 years older than Amy. Their affair had begun a year before, when Joey was 35, Amy not quite 17. Following the shooting, Joey did time for statutory rape; Amy, for first-degree assault. Mrs. Buttafuoco recovered, and Sunday's newspaper story was about an attempt to bring all three of them together for a TV interview. Amy is now 31 and a married woman with two children.

Amy Fisher and her story were in fact far removed from Lolita and *Lolita*. For one thing, Amy was too old to be a nymphet. Lolita's lover Humbert Humbert specifies "between the age limits of nine and fourteen." The "real" Lolita (her creator told us, in the afterword that appeared in every edition of *Lolita* but the first, that "reality" is "one of the few words which mean nothing without quotes") was not yet 13 when Humbert commenced his affair with her. It was Humbert, not Lolita, who took revenge on the love rival at last, and he did a much better job of it, more stylish and more thorough, than clueless Amy. And the oafish, thick-skulled Joey Buttafuoco (a quite Nabokovian name, come to think of it—it means "light a fire") is, to put it very mildly indeed, no Humbert Humbert.

I note, however, that Ms. Fisher seems to have settled happily into a normal life after her youthful transgressions. In that respect, at least, she resembles Nabokov's heroine. One of Azar Nafisi's students, in the memoir *Reading Lolita in Tehran*, remarks of the nymphet that "all she wants is to live a normal life." That is quite right. Like much great art, *Lolita* is, among many other things, a hymn of forlorn longing for the humdrum and banal, voiced by an outsider personality. Think of Tennyson's Tithonus moaning: "Why should a man desire in any way / To vary from the kindly race of men?" Since literary masterpieces are created by literary geniuses, a type that can fully engage with very few of its fellow human beings, I suppose this beggar-at-the-window outlook on common experience is not very surprising.

At about this point in my reflections I pulled down my copy of *Lolita* from the shelves. The thought that came up, after an hour or so of random reading, was: What a falling-off there has been! I mean that in a social, not a literary sense. Novels just as good have been written since 1958 (the date of the first U.S. edition). No, my thought was the same one I have when I listen to old pop music, or watch old movies—that our civilization was much more grown-up fifty years ago than it is today, much closer to that point of balance between what human nature fundamentally is, and what we can reasonably aspire to make of ourselves. Says the author in that afterword: "That my novel does contain various allusions to the physiological urges of a pervert is quite true. But after all we are not children, not illiterate juvenile delinquents . . ." No, we were not; but that was half a century ago, before our old ideals of self-support, endurance, and a common destiny were routed in favor of self-pity, victimological whining, and "diversity." Then we still knew how, in Longfellow's noble words, "to labor and to wait." We have since lost the inclination to do either.

The reception of *Lolita* in 1958 was by no means universally friendly. Would it be any better today? I suspect it might actually be worse. This is, after all, a novel about a 37-year-old man taking sexual advantage of a 12-year-old orphan girl, both of them products of mid-20th-century bourgeois societies, albeit very different ones. You can just hear the postmodernists sharpening their pencils (or "pencils").

Now, plainly Humbert did a very wicked thing. There is no doubt that the author knows this—I have just quoted him calling Humbert a pervert. Humbert himself knows it, too, through the fog of his solipsism. He refers to himself as a "monster" or a "maniac," wearing "polluted rags," and so forth. "But never mind, never mind, I am only a brute, never mind, let us go on with my miserable story."

To drive the point home Nabokov inserts oblique, but cumulatively unignorable, references to the fact that the sexual relationship causes pain and perhaps actual physical injury to the object of Humbert's "love." And yet this cruel tormentor is redeemed a little in our eyes by the surpassing power of his creator's art, a thing any educated person in 1958 could understand. In an interview, Nabokov said that he thought Humbert should be given one day's vacation from hell every year, to stroll a green country lane in the sunlight. Such a judgment makes sense only from a grounding in some mature moral vision. It cannot be fitted at all into the infantile who-whom dogmas of our own time.

And what a peculiar time this is! Never has the denial of human nature been taken so far, or defended so hotly. Think of the Larry Summers affair; think of the endless litigating over "discrimination" and bogus "rights." The Victorian housewife who hid the "limbs" of her piano in frilly ruffs lest they embarrass or excite anyone is a cold-eyed realist by comparison with ourselves. Our acquaintance with the Old Adam, with our own invariant essence, has, like a friendship not kept up, weakened and faded. At the same time, science is at last beginning to deliver some actual facts about the origins and mechanisms of our beliefs, desires, intentions, and abilities. Some crash must be coming, some terrible disillusioning. The novel-readers of 1958 would have coped much better than we shall. **NR**

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Hanging Right There . . .

NEW YORK, APRIL 28

UPCOMING art auctions at Sotheby's and Christie's are hugely noticed in the *New York Times*. Two Picassos are especially prominent. The first is labeled *Dora Maar with Cat*, and it is expected to fetch $50 million. The second, called *Repose*, is even uglier, and is expected to go for about $20 million.

The display raises several questions, the first of them being, Why would anyone wish to own these Picassos? There is only a single answer to that, which is, "Because they are so valuable." Imagine a situation in which you woke to find in the mail a package containing *Dora Maar*. It is yours, with a single condition attached: You are not permitted to sell it.

What would you do?

Call your friends and say, "Come on over to my house and I will show you a painting by Picasso which auctioned for $50 million."

The unhappy part of the deal is that in order to show it to your friends you would have to hang it. To do that would ruin any composure that room ever generated for you. The only solution would be to devise a curtain to shield it from sight except when you pull down the cord, exposing the hideous agglomeration of eyes, mouths, fingers, and—yes, a black cat.

On the matter of the value of such as *Dora Maar*, one recalls the wry economist who wrote of the phenomenon. A man arrives at U.S. Customs with an oil painting. It's only worth a couple of hundred bucks, he says. But the customs officer shakes his head: "I know a Picasso when I see one!" He wants a couple of million in import duties. The traveler appeals and the canvas is shown to five art experts. Three of them say that it is genuine, two that it is fake. It is therefore worth ten million, by a majority of one. The viewer, who is inexpert, sees the same picture. The reason the genuine article brings crowds in from the streets to admire it isn't that it is manifestly unique. It is that it's worth $10 million. The economist permitted himself to wonder whether as many people might not be induced into that room in the museum if, exhibited in the same space, were $10 million in hundred-dollar bills.

Art critic Robert Hughes spoke at the Royal Academy of Arts two years ago about the sale of Picasso's *Garçon à la pipe*. It went for $104 million. Hughes said simply that the sale was "a cultural obscenity." He went on, "Such gestures do no honor to art. They debase it by making the desire for it pathological." Some collectors, Hughes commented, "use museums as megaphones for their own sometimes debatable taste." He expressed concern about the effects of speculation in art: "After 30 years in New York, I have seen a lot of the damage it can do—the sudden puffing of reputations, the throwing of eggs in the air to admire their short grace of flight, the tyranny of fashion."

With advances in the technology of reproduction, there is no excuse for high art prices at this level. You can get an extremely good reproduction for a hundred dollars. If what you want is the beauty or the originality or the whatever—you can have it.

The great revolution in music came with the phonograph record. You did not have to get in line beginning at five in the morning to get a ticket to hear Caruso. You paid five bucks and turned on the switch. There is no reason whatever to deprive the citizen of the finest music. Yes, it enhances the experience to be present physically when Caruso sings, but that is lily-gilding.

I visited from time to time the home of a publisher who had over his mantelpiece an oil by Renoir which I admired. The last time I was there and paused over it he told me that I was now looking at a reproduction. He had sold the original to a museum, settling for this splendid copy. "It's a half inch shorter than the original," he said. "That way, it cannot pose as the original." Otherwise, you couldn't tell.

Is There a Solution?

NEW YORK, MAY 5

I was back home after three days at the Mayo Clinic, and I sat with my wife, having decided on an evening of television. To this end we looked in the morning paper and saw the listing for the story of Bette Davis, coming on at 9 P.M. This was appealing, inasmuch as when I was about fifteen, I fancied my future as Mr. Bette Davis—though that was a contingent romance, if Betty Hutton would not have me. And it was especially embittering given that Bette married just about everybody else, and I was saddled with the mother of the author of *Thank You for Smoking*.

In any case, we were seated, and after a flurry of investigations to discover on what TV channel Turner Classic Movies appears in New York (answer: 82) we were staring at her. That lovely head, lips all but closed, smoke filtering out of her mouth, and when the smoke was finally gone, she began to speak in her special way, contemptuous of everybody and everything. What followed (for as long as we stayed with her) were shots dating back to 1930. She was always with a cigarette in her hand, calling to mind the recent movie about Edward R. Murrow, which is one long shot of smoke-filled rooms in which characters occasionally say things—grim things, mostly—in between puffs on cigarettes.

The Mayo Clinic is in what I think of as Middle America, though the term has to be used with care. It's easiest to visualize: Get yourself to Minneapolis and then head south for 90 miles, whereafter . . . Rochester. There are 100,000 people there; a third of them work for IBM and a third for Mayo. Most people have a story about that remarkable place, myself included. Mine I got from the late David Niven. He was suffering from an odd affliction that seized his voice from time to time. Living in France and Switzerland he had consulted a broad band of specialists, but none had come up with a diagnosis. My wife said to him, Why don't you go to Mayo? He did, and in two days they told him he was suffering from amyotrophic lateral sclerosis, popularly known as Lou Gehrig's Disease. That's what it was,

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and he died of it 18 months later.

I was there in search of a diagnosis for my shortness of breath, and a dozen tests and examinations confirmed that the problem is emphysema and, oh yes, the cause of it was smoking. How long had I smoked? One deals with Mayo as with a confessional, zero temporizing. I smoked cigarettes for ten years, age 15 to 25. And then cigars, off and on, but steadily for about ten years beginning about age 68.

There weren't many ways of looking at those X-rays and charts and CT scans. There it is, and you find you are taking in about one-third the air you would be taking in if you had never smoked. The Mayo Clinic is not a missionary enterprise, turning out patients with recommitments to holier lives. But let's face it, when six hours later you find yourself relaxed at home watching a close-up of Bette Davis inhaling deeply and even licentiously, it's normal to ask, why is this going on?

The statistics are plain. Every day, approximately 4,500 Americans between the ages of 12 and 17 smoke for the first time. Half of them will smoke regularly from that point forward, which comes down to 800,000 new habitual smokers each year.

Is there nothing to be done? The easiest answer to that question is presumably the correct answer: Nothing. There is the blissful escapist factor: Not every smoker contracts emphysema or lung cancer. And there is the tireless diversionary exercise, drawing attention to Aunt Judie, who just died of lung cancer, had suffered from emphysema, and never had a cigarette in her life. Yes, and such data as these would not be withheld from you at the Mayo Clinic. The Mayo people aren't there to account for scientific anomalies. But a certain strength is imparted to people who expose themselves to the even-temperedness one finds there, the quiet confidence in the correctness of scientific lucidity, the corporate anxiety to show a resourceful concern for human health.

If you found yourself with emphysema, and you woke up emperor of the whole world, with absolute power in all matters of production and consumption, what would you do?

That's simple, of course. Forbid smoking to everyone you care about.

Bush the Evangelist?

NEW YORK, MAY 9

WHAT is happening to George W. Bush is that dissenters are moving from criticism of him to just plain hostility to him. Swings in the public mood that emphatic aren't unknown to American history, though these days they are more lacerating because of the diurnal polls that give lapidary attention to wisps of sentiment. No doubt about it, the president's popularity is very low, though the exact meaning of that, and the causes of it, aren't obvious.

Some charges being leveled against Bush would seem to be motivated more by hostility than by analysis, and I have an example, taken from a letter from an old and learned friend. He complains of the "evangelicalism" of the president. "In his third TV debate in the 2000 primaries, Bush said that the political philosopher who had most influenced him was Jesus Christ. Give me a break. Jesus had almost nothing to say about politics, nothing at all directly, and considered politics a distraction."

Well, slow down.

Tom Brokaw is serving as moderator and asks for viewers' questions, getting this: "What political philosopher or thinker . . . do you most identify with?"

Candidate Steve Forbes came out with John Locke. Candidate Alan Keyes came out with the Founders. The question was repeated to Governor Bush.

Bush: "Christ, because he changed my heart."

Questioner: "I think the viewer would like to know more on how he's changed your heart."

Bush: "Well, if they don't know, it's going to be hard to explain. When you turn your heart and your life over to Christ, when you accept Christ as the savior, it changes your heart. It changes your life. And that's what happened to me."

So—Mr. Bush interpreted the question as asking something more profound than what political philosopher the candidates were most influenced by, and he came up with the name of the founder of Christianity.

Granted, Jesus can't be turned to on questions having to do with bicameral legislatures or the single tax or—divisions of power. The critic was right to say that Jesus had "almost" nothing to say about politics. What he said was that it is right to render to Caesar that which is Caesar's, and to God, that which is God's. That supreme political commandment has kept the exegetes busy for centuries and will do so for centuries ahead.

But probes into Bush's political servitude to Christian dogma aren't conclusively damaging. The critic in question says of Bush that he is a capitalist to the exclusion of "other civilized values, [and] treats the national parks as a playground for snowmobiles. Bush is the first president to insist on drilling in the Arctic wildlife reserve."

Well, that is not so. Reagan's Interior Department recommended drilling in the ANWR. President George H. W. Bush explicitly recommended it. If one is looking for extra-conventional sources of authority, one is attracted not to those who want to drill for oil in Alaska, but to those who do not. Their refusal to countenance drilling is in the nature of a taboo whose sanction is all but religious in nature, Big Chief Greenhouse no touchum arctic refuge.

Of course Bush can hardly endorse unrestrained capitalism and pursue the grace of Christ. Those who worship capitalism to sacramental lengths are defiantly anti-Christian, like Ayn Rand and her unholy Objectivists, and that branch of libertarianism which acknowledges only the market as authority, practical or moral.

Stem-cell research is a question correctly demanding moral, not purely instrumental, discrimination. If a president lists the factor of human life as one consideration to be weighed in making policy on stem-cell research, he should not for that reason be dismissed as superstitious.

Mr. Bush faces a lot of problems, and some of them are correctly informed by religious understandings. Why not infanticide? Well, let me explain . . . Jesus wouldn't approve.

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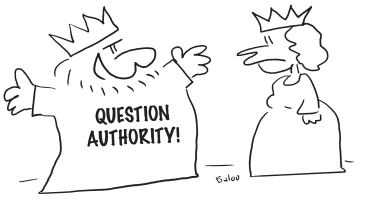

"There! That *ought to confuse 'em!"*

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happy warrior

MARK STEYN

Steeples and Peoples

Are we in the post-post-9/11 world? I've had a strange flurry of letters to that effect in the last few weeks. And obviously at some point my correspondents will be proved correct. Even if September 11 was "the day that changed everything," the everything it was changed to will, in turn, be changed itself, to something else.

So is "the 9/11 era" over? Well, in one sense, yes. It's not just that, for warmongers, the momentum of Afghanistan and then Iraq has stalled but that, for defeatists, the quagmire's stalled, too. After the fall of Saddam, there was the insurgency, and the election, and more insurgency and more elections, and more of the dull hard slog of nation building. But, while the Democrats may still be clamoring for an "exit strategy," it seems to me the American people have psychologically exited already and that "the war" is waning as a domestic issue. Terrible things still happen there but not, on the whole, to U.S. forces: It's one group of Muslims killing other groups of Muslims, and by definition the American people have less at stake in that. Iraq is a matter for the Iraqi people now. Whatever awaits them, it's beyond Kerry and Murtha and Biden.

And, with Iraq fading, what's next? In the broader jihad, al-Qaeda operations seem to have dwindled down to the occasional inspirational audiocassette. There's Iran, but it's hard to avoid the impression that, if America does have to bomb the mullahs, it will be with no great enthusiasm and with an eye to getting the negative optics off CNN as quickly as possible. Three years ago, the Bush administration at least believed in its compassionate crusaderism; any action in Iran will start out far more tentative. As for the wilier types in the Middle East, they've figured that if they can just run out the clock on the 43rd presidency whoever's next will shove the Bush Doctrine in the bottom of the filing cabinet and be glad to get back to "stability."

"The position of countries has been violently altered. The modes of thought of men, the whole outlook on affairs, the grouping of parties, all have encountered violent and tremendous changes in the deluge of the world," said Winston Churchill not long after the Great War, contemplating a return to the usual intractable little local quarrels. "But as the deluge subsides and the waters fall short, we see the dreary steeples of Fermanagh and Tyrone emerging once again." Today, in the temporary cessation of the post-9/11 deluge, a whole bunch of steeples are emerging that the U.S. has barely paid attention to these last five years—not least Latin America, which back in the days of the 2001 Summit of the Americas was supposed to be George W. Bush's big (indeed, only) foreign-policy enthusiasm. He's still enthusiastic, at least when it comes to Mexicans bringing their "family values" north of the Rio Grande, but elsewhere in the region it's all Chávez and Morales and a return to the bad old days. The Russo-Chinese rapprochement doesn't exactly fit into the global-jihad template, either.

Chávez & Morales: the objects of our attention?

"Stability," of course, is profoundly unstable. In fact, it's one of the most powerful weapons in the enemy's armory. When our side rouses itself, it can bomb enemy targets and topple dictators very effectively. But then we stop dropping bombs, and the war carries on with the enemy advancing in remorseless, incremental ways we find harder to oppose. The terrorists are the "bad cop" end of an Islamic double-act. In truth, in an age of Western self-abasement, a bad cop is somewhat superfluous, and certainly action by him is not required. But he serves his purpose, enabling "allies" like the House of Saud plus Western Muslim lobby groups to pressure governments to make concessions to them rather than to the terrorists—even though both elements share the same aims, on questions big (Palestine) and small (full Islamic covering for Muslim schoolgirls in England). On September 10, 2001, Europeans would have thought you were insane if you'd predicted that within a couple of years the Muslim question would be the principal political dynamic in France, Belgium, the United Kingdom, the Netherlands, Denmark, Sweden, and beyond. And if there's no big military war—as in regime change in the Arab world—the slyer incremental war will proceed below the radar and not to our advantage.

After 9/11 the Bush message couldn't have been clearer: You're either with us or against us. But what's the underlying message from all these new non–"war on terror" trends supposedly emerging? From Chavismo in Latin America to Sino-Sudanese coziness, the rest of the world has concluded that there's no price to be paid for being against America. Look at Vicente Fox, leader of a ramshackle basketcase of a state. Crack down on the border and he calls the White House and demands to know what the hell Bush is playing at and Bush supposedly reassures him that the most powerful nation on earth is just going through the motions of enforcing its jurisdiction. Forget Fox, forget Chávez, forget the Sauds and Syrians, Russians and Chinese, French and Belgians. Talk to those countries around the world that share Washington's view of the Islamist threat: In India, Singapore, Denmark, Australia, and other places, you hear more and more doubts about whether America has the will to see this thing through. If this is the post-post-9/11 world, it's going to be even bumpier. **NR**

JOSE LUIS QUINTANA/REUTERS

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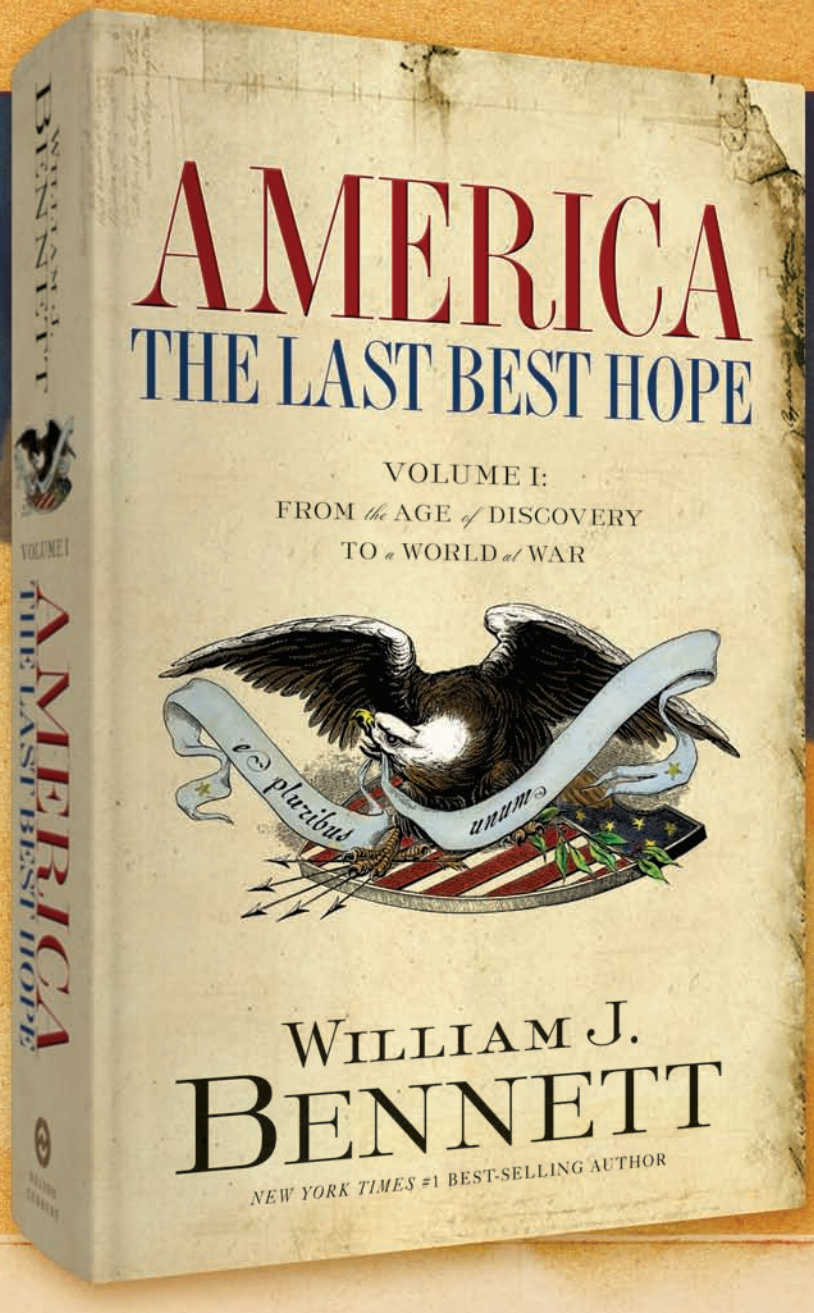
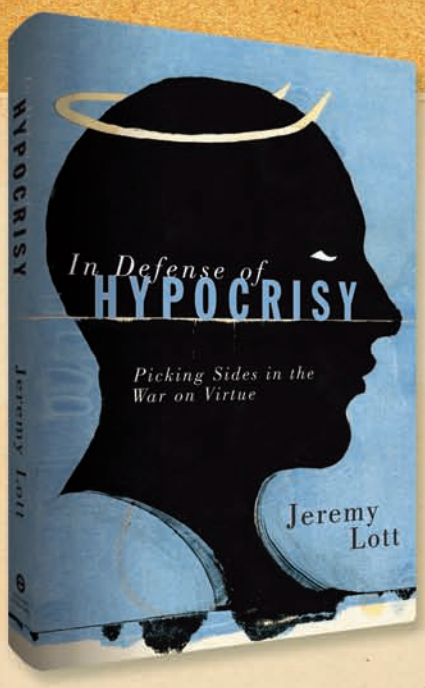
New from
William J. Bennett

From the bold, brilliant mind of *New York Times* best-selling author *William J. Bennett* comes this thrilling account of human initiative and the sweeping tale of our great country.





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